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EAST INDIA (EXCISE).

PAPERS

RELATING TO THE

EXCISE ADMINISTRATION

IN

00109030

ASSAM.

109030

Presented to both Houses of Parliament by Command of His Majesty.

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1904.

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No. 4552-Exc.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

Simla, the 16th July, 1904.

RESOLUTION.

ORDERED, that the papers mentioned in the following list, relating to Excise Administration in Assam, be published for general information in the Supplement to the *Gazette of India*.

E. N. BAKER,
Secretary to the Government of India.

LIST OF PAPERS.

1. Letter from the Chief Commissioner of Assam to the Government of India, No. $\frac{436\text{-Finance}}{1965}$ F., dated the 25th August 1903.
2. Memorandum, dated the 2nd April 1902, by Mr. J. Buckingham, C.I.E., Chairman of the Assam Branch of the Indian Tea Association.
3. Circular letter, No. 27-R., dated the 22nd August 1902, from the Chief Commissioner of Assam to the Deputy Commissioners of Tea Districts in Assam.
4. Memorandum, dated the 27th March 1903, by Mr. J. Buckingham, C.I.E.
5. Letter from the Government of India to the Chief Commissioner of Assam, No. 2015-S. R., dated the 26th March 1904.
6. Despatch from the Government of India to the Secretary of State, No., 97, dated the 31st March 1904.
7. Despatch from the Secretary of State to the Government of India, No. 65-Revenue, dated the 6th May 1904.

No. 436-Finance F., dated Shillong, the 25th August 1903.
1965

From—F. J. MONAHAN, Esq., I.C.S., Secretary to the Chief Commissioner of Assam,

To—The Secretary to the Government of India, Finance and Commerce Department.

IN continuation of my letter No. 309-Finance—1456-F., dated the 18th July 1903, I am directed to submit the following report, called for in your telegram, dated the 28th October 1902, with reference to the complaints made in a memorandum by Mr. Buckingham, Chairman of the Assam Branch, Indian Tea Association, against the excise administration in Assam so far as it is concerned with country spirit. I am to submit for convenience of reference copies of Mr. Buckingham's memorandum above mentioned, of a Circular No. 27-R., dated the 22nd August 1902, issued by the Chief Commissioner to the Deputy Commissioners of Tea Districts in Assam, directing an enquiry into the questions raised in the memorandum, of the replies* noted in the margin received from the officers who were consulted on the subject, and of a second memorandum from Mr. Buckingham, dated the 27th March 1903, containing recommendations on certain points. I am to invite special attention to the replies* to Mr. Fuller's circular received from Mr. Melitus, Commissioner of the Assam Valley Districts, and Mr. Arbuthnott, Deputy Commissioner of Sylhet, who are officers of standing, with great experience of Assam. As already explained in Mr. Henniker's letter No. 237-F. & C.—4496-R, dated the 3rd November 1902, the delay in submitting this report has resulted in part from the postponement of the date fixed for the reports of district officers, at the request of the Assam Branch of the Indian Tea Association. Mr. Buckingham's second memorandum was not actually forwarded to this office by the Secretary, Assam Branch, Indian Tea Association, till the 11th June 1903, and the Officiating Chief Commissioner, Mr. Bolton, considered it desirable that the disposal of the case should await the return of Mr. Fuller from leave.

Letter No. 2451—XXIII-4-G., dated the 11th December 1902, from the Deputy Commissioner of Goalpara.
Letter No. 1204-R., dated the 10th January 1903, from the Deputy Commissioner of Nowgong.
Letter No. 2496-R., dated the 13th January 1903, from the Deputy Commissioner of Lakhimpur.
Letter No. 5273, dated the 10th February 1903, from the Deputy Commissioner of Cachar.
Letter No. 2447-R., dated the 16th February 1903, from the Deputy Commissioner of Darrang.
Letter No. 4041, dated the 9th March 1903, from the Deputy Commissioner of Kamrup.
Letter No. T. A., dated the 9th March 1903, from the Deputy Commissioner of Sibsagar, and enclosures.
Letter No. 1133-F., dated the 17th March 1903, from the Deputy Commissioner of Sylhet and enclosures.
Letter No. 83, dated the 20th April 1903, from the Commissioner of Excise, Assam.
Letter No. 1287-L. R., dated the 11th May 1903, from the Commissioner of the Assam Valley Districts.

2. The charges against the excise administration of this province, which the Chief Commissioner has been called upon to meet mainly relate to its alleged effects in encouraging drunkenness among the labourers employed on tea gardens. These labourers, or coolies as they are called, are recruited from other provinces of India, and at the outset of the enquiry it is important to determine whether, as has been suggested by Mr. Buckingham and others, tea-garden coolies acquire the habit of drinking intoxicating liquor after coming to Assam. It will be observed that the reports now received completely bear out the statement made in paragraph 3 of this office circular of the 22nd August 1902, above referred to, that the imported coolie population is mainly recruited from classes who are already in the habit of drinking distilled or fermented liquor, and that, if deprived of excise liquor, they will distill illicitly, or will brew rice beer. This is of course no new conclusion. It has been repeatedly insisted upon, and I am to refer to the very emphatic statements made on this point in this Administration's letter No. 2096, dated the 3rd November 1880, addressed to the Government of India in reply to one of the earlier criticisms on the excise administration of Assam, and in particular to the opinion therein expressed that "so long as coolies cannot get liquor from licensed shops so long is it certain that they will obtain it illicitly."

In this connection the remarks contained in paragraph 9 of Mr. Melitus' report* forwarded herewith are specially deserving of attention.

3. In his first memorandum Mr. Buckingham has quoted from the Government of India's despatch to the Secretary of State, No. 166, dated the 25th June 1887, the remark that "judged by a European standard, the people of India are a remarkably abstemious people," but he has omitted to mention that, in the same despatch, the mistake of supposing that abstemious habits had ever been universal among the people of India was demonstrated, and it was shown that, from a time antecedent to British rule, large classes of the population had always indulged in intoxicating liquor. The drinking habit has always been most prevalent among the aboriginal races of the Central Provinces and the districts of Chota Nagpur in Bengal, and it is these races which furnish at present the largest proportion of tea-garden coolies. The large consumption of country spirit in Chota Nagpur is referred to in Chapter VII of the Report of the Bengal Excise Commission of 1884, and, as regards the Central Provinces, evidence is furnished in a report appended to the Government of India's despatch above mentioned, which Mr. Fuller can confirm from his own experience.

A fact which is most intimately connected with the consumption of liquor in Assam is the popularity which the Central Provinces and Chota Nagpur have attained during recent years as a recruiting ground for tea-garden coolies. Experience has shown that coolies

* Not printed.

drawn from these localities suffer less from the effects of the damp climate of Assam and are more amenable to discipline than Hindustanis from Behar and the eastern districts of the United Provinces; and the development of recruitment in the Hill districts has been one of the most prominent features in the course of labour immigration into Assam. During the ten years 1876—1885, the number of adult coolies annually imported from the Central Provinces and Chota Nagpur was on the average 10,836. During the following decade (1886 to 1895) the annual average rose to 18,544. During the next five years (1896 to 1900) it rose to 32,002. The introduction into the province of so large a number of habitual drinkers must of course have greatly affected the consumption of liquor. The lower castes of Hindustani coolies are habituated to drink, but amongst Hindustanis, taken as a whole, drinking is not nearly so prevalent as amongst the aboriginal population of Central India; and it may be remarked here that in the Chargola Valley of Sylhet, which is almost the only locality in the province which still very largely depends upon them, the liquor question is in no way prominent.

4. I am to refer here to the light which this change in the character of coolie immigration throws upon the increase in the excise revenue of Assam, which constitutes one of the main arguments of those who are now criticising the excise administration of the province. The following figures contrast for four quinquennial periods the average annual importation of adult coolies from the Central Provinces and Chota Nagpur with the average annual increase in the revenue from country spirits in the tea districts:

Quinquennial period.	Average annual importation of coolies from the Central Provinces and Chota Nagpur.	Average annual increase in excise revenue from country spirits.
		Rs.
1881—1885	10,704	...
1886—1890	16,967	22,101
1891—1895	20,121	30,146
1896—1900	32,002	38,779

The correspondence between the increase in recruitment from the Central Provinces and Chota Nagpur and the development of the excise revenue is very striking, and it is to be further observed that the proportion of revenue to population as exhibited by these figures is very nearly that which obtains between the total annual revenue from country spirits in the tea districts and the total adult coolie population of those districts, the average per head being Rs. 1-11. The conclusion appears obvious that the increase in the excise revenue which has been taken to show that the population of Assam is being demoralised can certainly, in great measure, be attributed to the importation by the planting community of habitual drinkers. It may seem extraordinary that so obvious an explanation should have escaped the notice of those who have been interesting themselves in excise reform. But Mr. Fuller has found that a regrettable ignorance prevails amongst the planting community in respect to the natural history, so to speak, of the coolies that constitute their labour force,—an ignorance which he believes to have cost them dearly in the management of their gardens as well as to have led to misapprehension in the present connection.

5. It is, no doubt, probably true that coolies generally drink more distilled spirit after coming to Assam than they did before they left their homes, and the reason is not far to seek. While rice-beer can be prepared by the aboriginal labourer or peasant without difficulty in his own home, the only apparatus required being an earthen pot, and the only materials rice,—his staple food,—and some herbs, distilled spirit if not illicitly prepared, must be purchased with cash, and, whatever may have been the condition of life of the coolie before he was recruited, there can be no doubt that more cash passes through his hands after he has taken service on a tea garden than before. If he was an agricultural labourer in his native district, he probably received a large portion of his wages in kind, or if a peasant farmer, he subsisted partly on the produce of his fields. It is natural that in Assam, where his income consists of wages paid to him regularly in cash, he should be tempted to spend a considerable portion of them on drink, and it is probable that, as his earnings increase, his consumption of liquor increases also. It would probably be found on enquiry throughout India that coolies employed in factories, mills, and mines consume more spirits than they did before they left their native villages to take up such employment. And it can hardly be urged that the conditions under which coolies live, and are employed, upon tea gardens are such as to encourage the growth of such feelings of self-respect as would act as a check upon intemperance.

6. In the report* from Mr. Davis, Commissioner of Excise, and elsewhere in the papers herewith forwarded, it is pointed out that new coolies on tea gardens drink less than old hands, but the Chief Commissioner has no doubt that the true explanation of this is, as stated in paragraph 10 of Mr. Melitus' report,* that the new coolies earn lower wages. Mr. Melitus has aptly pointed out that the suggestion that liquor drinking is a cause of high mortality on tea estates is inconsistent with the fact that new coolies drink less than old, since it is notorious that the mortality is much higher among new arrivals than among coolies who have been some time on the gardens. The information which has now been collected certainly does not bear out the opinion that drinking as at present practised is generally injurious to coolies. There is even a prevalent opinion that a certain amount of liquor is of positive benefit in reducing liability to fever. However this may be, it will be observed that the notion of depriving coolies of liquor is generally scouted by planters of experience.

* Not printed.

7. It is impossible to find any support in fact for the suggestion that this Administration has been guilty of encouraging drunkenness for the sake of revenue. The income which is derived from the sale of country spirit is no very large sum—between 6 and 7 lakhs of rupees a year—and three quarters of this income goes to the share of the Imperial Government. While the Chief Commissioner does not endorse without further examination all the figures which are given in paragraphs 3 to 5 of Mr. Melitus' report,* the considerations therein set forth are sufficient to show that the financial value of the excise on country spirits is quite insufficient to tempt the Administration to develop the excise revenue at the expense of the tea planting industry. It is indeed not understood what action on the part of the Administration can be indicated as having afforded encouragement to drink. It has actually been lessening the number of shops at which liquor may be sold. In 1889-90 there were 241 shops open. There are now only 210, notwithstanding a very large increase in the drinking population. During the last ten years the total population of *immigrants* (*i.e.*, persons born in other parts of India) has increased by 51·9 per cent.: moreover, the immigrants do not of course represent the whole of the drinking population, and we have to include the large number of people, descended from immigrants of the drinking classes, who are not shown separately in the census tables. From the figures furnished in paragragh 7 of Mr. Melitus' report* it will be seen that in the Assam Valley division, to which Mr. Buckingham's explanation chiefly refers, whereas in 1881 there was one liquor shop for every 1,650 persons of the drinking classes, in 1901 the proportion was only one shop to every 5,500 persons.

The total area of the tea districts being 31,789 square miles, there is one liquor shop licensed for every 151 square miles. It is thus apparent that these shops are really very few in number in proportion to the area and population which they serve. In 1902 there was one liquor shop for every four tea gardens in the province, which is perhaps a sufficient reply to the assertion sometimes made that wherever a tea garden is started, a liquor shop is opened close to it. So far from affording the people the temptation of low prices and easy purchase, endeavour has been made to enforce rules which fix the price of liquor very greatly above its market value, which limit the amount of liquor that may be sold to a single purchaser, and which contemplate the location of shops at places that are positively inconvenient for the purchasing community. There remains the charge that by leasing the liquor shops to the highest auction bidder, the Administration has put pressure upon the liquor dealers to increase their sales in order to provide the demands of Government. But the liquor trade is known to be profitable, and Mr. Fuller thinks that the desire of profit, irrespective of payment of Government dues, is quite sufficient of itself to induce the liquor dealers to push their sales.

In 1890 an exhaustive enquiry into the working of the excise system was made by Mr. Driberg, an officer placed on special duty for the purpose, whose report submitted to the Government of India with this office letter No. 2870-R., dated the 28th August 1890, showed that the licensed vendors in several districts were making excessive profits. It was demonstrated by a large number of instances, that the gross profits of the business were very large as compared with the cost of manufacture, a bottle of liquor sold for six annas (the present minimum legal price) costing in some cases less than one anna to make, while the cost of manufacture of liquor sold at four annas a bottle varied from half an anna to one anna per bottle. There can be no doubt that the expansion of revenue since 1890 is due in some measure to the effects of competition under the auction system in transferring some of these profits from the liquor vendors to the Government.

8. As regards the price at which liquor is retailed, I am to say that all the information available goes to show that in Assam it is not cheaper, but dearer, than in the districts from which tea-garden coolies come. In Chota Nagpur, which is the most important recruiting field, country spirit is excised under the outstill system, as in Assam, except in one small tract. In Bengal there are no restrictions in regard to the selling price of country spirit, and the Chief Commissioner has no recent information as to the price at which it is actually sold retail in that province. In Appendix No. 6 to the Report of the Bengal Excise Commission of 1883-84, the retail price of the weaker country spirit is shown as low as two pice per reputed quart bottle, equivalent to three annas per gallon, in some of the districts of Chota Nagpur and Behar. It appears that an usual price in these districts was one anna a bottle or six annas a gallon. In Appendix XV of Mr. Buckland's report on the country liquor excise systems of Madras and Bombay, published in 1888, the average retail selling price of outstill liquor is given as nine pice per bottle in certain districts of Chota Nagpur, while the rates most frequently quoted for Chota Nagpur and Behar range generally from one anna to three annas per quart bottle. In the Central Provinces the outstill system is in force over a considerable area and the Report on the excise administration of those provinces for 1901-02 shows that in that year the price of liquor sold from the said distillery at Jabalpur was reduced to three annas a bottle, equivalent to Rs. 1-5 a gallon, in order to check the smuggling of outstill liquor into the distillery area. It may be presumed that liquor is sold at a lower price, on the average, from outstills in the Central Provinces. In Assam the minimum retail price of country spirit fixed by rule is six annas per ordinary quart bottle, or Rs. 2-4 per gallon. It is true that this rule is not, and cannot be, strictly enforced under the outstill system, but the liquor sold cheaper than the minimum legal price is of very weak description. This

* Not printed.

is confirmed by the analyses of samples of such liquor quoted in the appendices to Mr. Buckingham's first memorandum. In Mr. (now Sir Charles) Lyall's note of the 3rd August 1889, copy of which was submitted to the Government of India with this office letter No. 2984, dated the 31st August 1889, the prices of country liquor in Assam and in Bombay and Madras were compared, with the result that the article was shown to be dearer in Assam in proportion to its strength than in those provinces where excise administration is considered to be most successful. Mr. Lyall's conclusions were fully confirmed by Mr. Driberg's report, copy of which was submitted to the Government of India with this office letter No. 2870-R., dated the 28th August 1890. From the latest reports on *abkari* administration in Madras and Bombay the retail price of country spirit in those provinces does not appear to have varied much since Mr. Lyall's note was written. Of the materials used in the production of country spirit in Assam, *viz.*, *gur* and *mohwa*, the greater part of the *gur* and the whole of the *mohwa* is imported from other provinces. Labour is notoriously expensive in Assam, and it is natural that the average price of country spirit, as of almost all other commodities, should be higher here than in the recruiting districts. Apart from the minimum price rule which the Government has aimed at enforcing, it cannot, therefore, be reasonably contended that the cheapness of country spirit in Assam tempts coolies who do not drink spirit in their native districts to indulge in it after they come up to the tea gardens.

9. It has been suggested that the supply of spirits to tea-garden coolies is not absolutely necessary, and that, if it were cut off, they would be content to substitute for it rice-beer, which is regarded by some as less injurious. This view is not supported by experience. The races from which tea-garden coolies are drawn are habitual consumers of distilled liquor, as well as of beer, and it is quite certain that if they are deprived of the opportunity of obtaining spirit from licensed shops, they will find means to procure it by illicit distillation. It may, however, be admitted that the placing of further restrictions on the supply of country spirit would probably be followed by a greatly increased consumption of rice-beer, which is subject to no taxation, and is always procurable in abundance without any difficulty. As was forcibly shown in the note by a former Chief Commissioner, the late Sir James Westland, submitted to the Government of India with this office letter No. 2984, dated the 31st August 1889, the very extensive manufacture and consumption of rice-beer is a circumstance which materially affects the excise administration in this province. To quote from Sir James Westland's note—

> The preparation of rice-beer presents no more difficulty than the infusion of a pot of tea, and has this additional facility, that, whereas tea, under the circumstances in which we most know it, is an imported product which has to be purchased, rice is the staple food of this country.....The mode of preparation is to steep rice in water for two or three days, then boil it with certain herbs, which act as yeast, and the result is beer. It is rarely sold, each person manufacturing his own supply, and borrowing from his neighbour if he falls short.

The consumption of this home-made rice-beer is very general on tea gardens, as well as among the general population, and it has been found practically impossible to subject it to any taxation. It may easily be imagined that its use on tea gardens would be enormously increased, if it were made more difficult for coolies to procure country spirit, but there is no reason whatever, in Mr. Fuller's opinion, for considering such a result desirable in the interests of temperance, or of the health and welfare of the coolie population. Although, according to some opinions, rice-beer, if well brewed, is less injurious than bad excise liquor, as a matter of fact its use is sometimes attended with serious scandals. The beer is often very strong, and, as mentioned in paragraph 8 of Mr. Melitus' report,* it is sometimes strengthened by means of extraneous intoxicants put into it. Moreover, a spirit called *phatika* is often distilled from the beer, the process of distillation being simple, and detection or prevention very difficult. In his paragraph 12* Mr. Melitus reproduces from Sir James Westland's note some remarks by the Superintendent of the Singlo Tea Company, with regard to the evil effects of rice-beer on the health of coolies, which are equally applicable now. In a report submitted by Mr. Arbuthnott, when Deputy Commissioner of Sibsagar in 1889, the opinion of an experienced planter is quoted to the effect that "it is useless to place restrictions upon coolies getting distilled liquor from shops, while permitting them to make rice-beer in their houses, with the roots of *dhatura* added to enhance its intoxicating effect." At the same time, the Assistant Commissioner of Golaghat reported that planters admitted that a country spirit shop was not an altogether unmitigated evil, because it stopped the making of rice-beer in the lines, and that, after all, a country spirit shop was under some sort of supervision, whereas the making of rice-beer was not. Finally, the Hon'ble Mr. Bolton, who lately officiated as Chief Commissioner of Assam, has left on record the following note:

> The garden coolie is undoubtedly, as a very general rule, a consumer of country spirit in his own country, although he may be more largely addicted to rice-beer. We must therefore afford him facilities for obtaining spirit in Assam, and it is perhaps more to his advantage to use it instead of rice-beer, which entails the waste of much food. The Deputy Commissioner of Singbhum in Chota Nagpur has brought to notice the reckless waste of rice by the rice-beer drinkers of his district.

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* Not printed.

Mr. Bolton refers to the coolies drawn from the Chota Nagpur Division of Bengal: in the Central Provinces the consumption of rice-beer as opposed to distilled spirit, is believed to be inconsiderable.

10. It has always been recognised that the outstill system under which country spirit is excised in Assam is not the best designed to discourage drinking, but the special reasons which justify its maintenance in this province have been repeatedly laid before the Government of India and the Secretary of State. It may suffice for the Chief Commissioner to refer to this office letter No. 3335, dated the 13th November 1888, and paragraphs 4 and 5 of the letter from the Commissioner, Assam Valley Districts, No. 5012, dated the 19th October 1888, forward therewith, to this office letter No. 2984, dated the 31st August 1889, enclosing the note by the late Sir James Westland above referred to, to paragraph 70 of the Government of India's despatch to the Secretary of State, No. 29, dated the 4th February 1890, paragraph 4 of this office letter No. 2870-R., dated the 28th August 1890, and paragraph 24 of Mr. Driberg's report submitted to the Government of India therewith, and to paragraph 20 of the Government of India's despatch to the Secretary of State, No. 318, dated the 1st October 1890. So far as the Chief Commissioner is aware, the outstill system of Assam does not differ from that which is generally in force in the tracts from which the bulk of tea-garden coolies are drawn. The principal argument in its favour is that the sparseness of population and great extent of jungle in the province, and the general prevalence of brewing and distilling, among different indigenous races found in close proximity to the tea gardens, as well as among the adjacent hill tribes, who are either independent, or have only lately been brought under British administration and cannot, on political grounds, be restricted in these practices, offer such facilities for illicit distillation and for smuggling, that the only excise system possible is one which, by providing consumers with a moderately-priced and easily-accessible supply of spirit, lessens the temptation to resort to illegal methods of procuring it. To this it may be added that the licensees of outstills are the best agency for the prevention of illicit distillation and smuggling, which they have a direct interest in suppressing; while the difficulties of transport owing to defective communications render a central distillery system unsuitable for most parts of the province. The attempts which have been made to substitute other systems of excise for the outstill system in Assam have been uniformly unsuccessful. The central distillery system which was in force in Sylhet when that district was added to the province proved a complete failure, and was abolished in 1876; and an experiment which was made in the establishment of a central distillery for the manufacture of rum by the European method at Dibrugarh met with no better success. The experiment tried in the Sibsagar district in 1887 of closing all licensed country spirit shops and substituting licenses to sell imported rum resulted, as mentioned in paragraph 15 of Mr. Melitus' report,* in wholesale demoralization of the labour force on tea gardens by excessive drinking of rice-beer, and also in widespread illicit distillation.

11. Experience in other provinces has, the Chief Commissioner believes, shown that the outstill system is the most suitable excise arrangement in localities in which illicit manufacture of intoxicating drink is very difficult to discover and check. This description applies most accurately to Assam, and more especially to the tea districts. Either within the boundaries of the tea estates or adjacent to them are almost always to be found extensive areas of dense jungle, where illicit distillation can be carried on with the minimum risk of detection, while frequent visits by the police or by a detective staff to the tea gardens would be keenly resented by the tea planters, and would lead to endless trouble and friction. This is, in Mr. Fuller's opinion, a consideration of great weight. The substitution of a sadar distillery system has been suggested by some planters in Nowgong, Jorhat, and Golaghat, but the Chief Commissioner has no reason to believe that they have any practical acquaintance with the working of such a system, and he believes that, generally, no radical change of the sort is desired. He would be quite willing to give the sadar distillery system a trial in one subdivision, were it not for the great difficulty of preventing liquor from adjacent outstill areas from competing with the produce of the central distillery. It must be remembered that we are not only concerned with the tea-garden population. As pointed out in paragraph 6 of Mr. Melitus' report*, there is also a large drinking population which has settled outside tea gardens, and whose interests have to be consulted. The reports received show that the outstill system is accepted without complaint in the Surma Valley.

12. Passing to questions of detail, I am to observe that Mr. Buckingham summarily rejects the proposal, which has been made more than once by this Administration, of offering to planters the licenses of liquor shops with a view to giving them control over their management. This attitude is in singular contrast to that taken up by the Association which Mr. Buckingham represents so recently as 1898, when their Secretary forwarded to the Chief Commissioner copy of a Resolution unanimously agreed upon by the General Committee, suggesting that in all cases of a grog shop being licensed within two miles of a garden or tea estate, it should first be offered to the proprietor or his manager at a reasonable upset price, so that the garden most affected would be able to exercise the necessary

* Not printed.

control over the shop. Copy of this Resolution was forwarded by the Chief Commissioner, Sir Henry Cotton, to the Commissioner of Excise, with the remark that, although the system of settling liquor shops in the neighbourhood of tea gardens with planters was tried in the years 1880—1883 without success, the Chief Commissioner was prepared, in view of the representation of the Tea Association, to repeat the experiment, if the Excise Commissioner could suggest any feasible means for carrying it out. The attempts which were made to give effect to the suggestion proved unavailing, as planters in the Assam Valley were unwilling to take licenses of liquor shops. So far as Mr. Fuller has been able to ascertain, the planters are greatly influenced against the lease of shops by the trouble which management would occasion them. Information has been received showing that, in certain cases, where shops have been settled with planters, the management has been farmed out to a native liquor dealer and the object of the arrangement has thereby been defeated. Another consideration of great weight is that a planter who farmed a shop would be obliged to allow outsiders and coolies from other gardens to frequent it, and that this would be contrary to the general policy of isolating the coolies of each estate as far as possible, so as to minimise the chances of their being tempted to leave the estates. This consideration would not apply in the case of estates belonging to a single owner, of sufficient size to maintain a shop for themselves; and accordingly it is in these cases that the management of liquor shops by planters has been most successful. Mr. Fuller is by no means inclined to press planters to take licenses, and he sees many objections to granting them an absolute monopoly of supply. The necessity of providing for the requirements of the drinking population outside the tea gardens must always be borne in mind.

The canteen system proposed by Mr. Buckingham in his second memorandum of the 27th March 1903 would apparently be for the supply of rum imported either from Europe, or from other provinces where it is manufactured after the European method. This system deserves every encouragement, and planters should, Mr. Fuller thinks, be given permits at low fees for the sale of such rum to their coolies, but he apprehends that the price of rum would be an obstacle to its general consumption by coolies. Mr. Davis' alternative suggestion that country spirit should be supplied to planters from central distilleries worked by the native method seems impracticable, for the reason that the spirit will not keep for any length of time.

13. It has been alleged that, in selecting the sites of liquor shops, the wishes and convenience of the planting community are not always consulted, and that outstills are erected too close to tea gardens, markets and bazars. The following are the rules at present in force on this subject:—

> No liquor shop should ordinarily be in a bazar, or at the entrance to a bazar, nor near a bathing ghat or place of public resort, school, hospital, place of worship, factory, the interior of a village, the side of a road leading to a bathing ghat, or a place of water-supply. A liquor shop should not be inaccessible to persons requiring liquor, but it should not be in such a situation as to obtrude itself on the attention of the public, or to render persons passing by subject to annoyance from persons drinking. No outstill should be sanctioned unless there is a *bonâ fide* local demand for it, ascertained by enquiry, and proved by the desire of an individual to open it. Local opinion as to the sites of liquor shops should be consulted as far as possible.

The difficulties met with in applying this rule are very considerable. In other provinces liquor shops are, the Chief Commissioner believes, situated generally within village or bazar limits, and it is not easy to arrange for the location of shops at a distance from habitations. In many localities,—for instance, at Dumduma, mentioned in the report* of the Deputy Commissioner of Lakhimpur,—the bazar has proved to be a suitable site, and there is no desire for a change of location. Supervision by the police is generally easier in a bazar than outside of it. There is, moreover, a general tendency for bazars to grow up around the sites of liquor shops. Regarding the location of shops, it appears from the reports that there is the greater diversity of opinion among planters themselves: some prefer to have the shops near their gardens, others far off, and I am to refer especially to the report* of Captain Halliday, Deputy Commissioner of Cachar, which shows that some of the most experienced and competent managers of tea gardens in that district prefer to have the shops actually on their gardens. Under the circumstances, the Chief Commissioner agrees with the opinion expressed by Mr. Melitus, that hard-and-fast rules on this point are unsuitable, and he considers that each case must be dealt with according to the local circumstances. The provision in the present rules for consulting local opinion as regards the sites of new shops is a most salutary one, and it will be carefully observed in future.

14. The Chief Commissioner concurs with the opinion generally expressed by the officers consulted that the performances or *tamashas* given by liquor licensees on the occasions of certain festivals, which are described as mere drunken orgies, should be put a stop to, and a clause to this effect will be inserted in the licenses. Mr. Fuller is also of opinion that great caution should be exercised in permitting licensees to sell elsewhere than at their shops.

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* Not printed.

15. The maximum quantity of liquor which a licensee is at present allowed to sell to a single person at one time is six quart bottles. This limit which is the same as that in force in Bengal and in the United Provinces, was originally fixed in 1880. In 1883, on the extension to Assam of Act I (B.C.) of that year, amending the excise law, the limit was reconsidered, but it was maintained at six quart bottles, in accordance with the almost unanimous recommendation of the district officers. A proposal to reduce the limit to three quart bottles was put forward by Mr. Davis, Commissioner of Excise, in his annual report for the year 1897-98, but the same officer reported later, after consulting all the Deputy Commissioners, that he did not consider the proposed reduction feasible.

The Chief Commissioner recognises that to allow a man of the coolie class to purchase so large a quantity as six quart bottles of liquor with a view to his keeping it in hand, or distributing it to others, is to subject him to a strong temptation. He is very likely to sit down by the roadside, and drink off as much as he can. In his first memorandum Mr. Buckingham recommended that the limit should be reduced to one quart bottle, and the Chief Commissioner believes that the adoption of such a limit would do more than anything else to put an end to the weekly bouts of drunkenness which certainly afford good ground for complaint. But it is noteworthy that, while the agitation against the outstill system professes to be inspired by a desire to promote temperance, planters themselves are strenuously opposed to such a reduction of the limit of retail sale, on the ground that more coolies would have to absent themselves from the gardens in order to make their purchases of liquor. Mr. Buckingham, in his second memorandum, recommends a limit of three quart bottles, but in only one district (Lakhimpur) is the idea of a reduction even to this extent accepted by the planting community. In the face of the attitude taken up by planters generally on this question Mr. Fuller would not be prepared to reduce at once the maximum quantity fixed for retail sale. But, as at present advised, he considers that it should be diminished, and he proposes to have further enquiry made on the subject.

16. The endeavour has been made to enforce a rule that no one shall obtain a quart bottle of liquor, of whatever strength or quality, for less than 6 annas. As has been shown in paragraph 7 above, this price is very greatly in excess of that at which liquor can be sold at a profit, and it is obvious that to maintain the selling price of a commodity greatly above its normal figure is almost beyond the power of Government. It is, moreover, to be noticed that to compel liquor dealers to sell at a fictitiously high price deprives the outstill system in great measure of its value as a preventive of illicit distillation. It is clear that the rule has been very generally evaded, and, possibly on account of the considerations referred to above, the Courts have been imposing very light penalties for its breach. Mr. Fuller is very doubtful of the possibility of enforcing a minimum price rule without a much closer interference than could on other grounds be wisely exercised through the police, or any other body of subordinates. It would, no doubt, be of effect if, as Mr. Davis suggests, the police were permitted to earn rewards on information of breaches of the rule, but the offer of this privilege would very possibly be found to demoralise the police and the liquor dealers, and the Chief Commissioner is not prepared to agree to it without further enquiry. He does not, however, propose to depart from the minimum price rule, and it will indeed be his object to enforce it in future as far as possible.

17. Conditions of the outstill license at present are that the licensee shall not open his shop or effect sales therein or from it before sunrise, or keep it open, or effect sales therein or from it after 9 P. M from the 16th March to the 15th October, or after 8 P. M. from the 16th October to the 15th March, that no liquor shall be drunk on the premises after 7 P. M. in the hot season, or after 6 P. M. in the cold, and that the license shall make no sales except when his shop is open. I am to say that the Chief Commissioner is prepared to close shops frequented by tea-garden coolies at 4 P. M. in the cold weather and at 6 P. M. in the hot weather months, as recommended by Mr. Melitus.

18. Complaints have been made regarding the quality of the liquor supplied from the outstills, and the Chief Commissioner considers that this is perhaps the most important point of all under consideration. I am in the first place to invite attention to the fact established by the investigations of the Bengal Excise Commission of 1884, that there is not, generally speaking, any material difference of quality between the liquor produced at outstills and that of sadar distilleries. The common defects of both are in great measure inseparable from all manufacture of distilled spirit by the native Indian process, and apparently require for their removal a complete change in the method of manufacture and in the character of the product. This could not be effected without a general change in the taste of the consumers, for it has been proved by experience that if a liquor suited to the public taste is not supplied at licensed shops, illicit distillation will certainly ensue. At the same time, there is reason to believe that the liquor made at some of the outstills is badly distilled from wash which has not been properly fermented, and it is most desirable that measures should be taken to improve distillation, and bring all liquor issued up to the standard which is attainable by expert distillers with the processes actually employed. At present shops are auctioned yearly, and unless a dealer can reckon with some confidence on being able to exclude ruinous competition at the next year's auction, he will not spend money upon a proper distilling

plant. In consequence, the stills and other appliances in use are of the roughest possible description. With a view to effecting some improvement, the Chief Commissioner has under consideration a proposal to grant licenses for a term of three years, and the services of the excise inspectors whose appointment has been recently sanctioned, will be utilised in enforcing better methods of distillation as far as may be practicable. There appears to be at present a good deal of uncertainty as to the processes actually used in Assam, and it will now be possible to investigate the subject thoroughly. The liquors supplied from different shops has been found to differ very greatly in quality.

19. Prominence has been given to statements tending to show that the spirit sold from outstills in Assam is generally injurious to health. For several years past samples have been annually sent for analysis by the Chemical Examiner to Government and the results do not bear out the idea that the liquor is deliberately adulterated with drugs. It has been, however, alleged to contain an injuriously high proportion of fusel oil, and special reference has been made to a report by Dr. Warden, formerly Chemical Examiner to the Government of Bengal, to the effect that the worst sample of Indian liquor examined by him contained nearly seven times as much fusel oil per fluid ounce as a sample of unrectified Scotch Whiskey. This report was drawn up by Dr. Warden in 1884, and the reproduction of an extract from it, together with several reports of analyses of country spirit produced at Assam outstills by Messrs. D. Waldie & Co., led the Chief Commissioner to institute a special enquiry with the view of ascertaining, if possible, what was the actual proportion of fusel oil in the spirit. The Chemical Examiner to the Government of Bengal, who was addressed on the subject, replied that fusel oil was a substance of very varying and complex composition, and that a quantitative determination of the amount of the substance could not be very accurately made by any known process He also stated that it was not known in what proportions fusel oil in country spirit might be present so as to be injurious to health. The Governments of the United Provinces of Agra and Oudh, Bengal, and Madras were also consulted. By the two former Governments the Chief Commissioner was favoured with copies of reports by the Commissioner of Excise, and the Chemical Examiner and Bacteriologist, United Provinces, and the Commissioner of Excise, Bengal, which were generally to the same effect as that of the Chemical Examiner to the Government of Bengal. It appears that a method of estimating approximately the quantity of amyl alcohol in country spirit is in use in Madras, but the spirit made at distilleries there is of different description, and manufactured by a different process from that of outstills.

20. In order to obtain further information, Mr. Fuller placed himself in communication with Messrs. Carew & Co. of the Rosa Factory, Shahjehanpur, and with their kind permission, arrangements have been made for having samples of outstill liquor analysed by Mr. Weinberg, the chemist employed by them. From his reports it appears that the quantity of fusel oil in a sample can only be roughly tested, and it is as yet uncertain whether the higher alcohols resulting from the distillation of the materials used in the manufacture of country spirit affect the agent employed in analysis in the same manner as the amyl alcohol found in potato spirit. Mr. Weinberg is also of opinion that the proportion of fusel oil in country spirit which should be regarded as deleterious can only be arrived at by a long series of experiments. Dr. Warden's report which has been referred to, was based on analysis of a few samples of country spirit in Bengal, and comparison with the results of analysis of Scotch Whiskey and other liquors by Dr. Dupré in 1876. It appears that Dr. Warden had no previous experience in analysing country spirit, and that his investigations were incomplete, and were not regarded by the Excise Commission as having given decisive results. It will be observed that the analyses by Messrs. D. Waldie & Co., quoted by Mr. Buckingham, are not quantitative, and that the information which they give is of the most general and indefinite character. Within the last few days Mr. Fuller's attention has been attracted by a statement made by Mr. Mann—the Chemist employed by the Tea Association—to the effect that a method of quantitatively detecting fusel oil is well known, and that in one European country the proportion of fusel oil which saleable liquor may contain has been definitely limited. It is proposed to address Mr. Mann on the subject when he returns to India from the leave he has just taken. Fusel oil is believed to occur in all freshly-distilled liquor, though its proportion may be greatly increased by defects in the process of manufacture. It does not appear to be certain that the fusel oil that is detected in country spirit is of the same composition as that which occurs in European spirit, and it seems that the various forms of alcohol which are comprehensively styled fusel oil are of different degrees of noxiousness. Some of the samples analysed by Dr. Weinberg certainly show very high percentages of fusel oil, and enquiries are being made to ascertain whether any explanation can be found in the processes employed by the dealer whose stock they represent. The Chief Commissioner is impressed with the desirability of rendering the liquor sold as wholesome as possible, and the question of improving the processes of manufacture will be carefully investigated. If authorities agree as to the maximum proportion of fusel oil, such as occurs in Indian spirit, which is consistent with the wholesomeness of the liquor containing it, there would appear to be no insuperable difficulties in the way of enforcing its observance in Assam, especially if, as suggested above, the distillers are encouraged to improve their plant by the concession of longer leases. But it hardly seems probable that the liquor sold in

Assam is of worse quality than that produced under similar circumstances in other parts of India, and it seems very doubtful whether, as supplied from the better class shops, it is really injurious to the health of those who are used to it. The fact that it excites those who drink it to excess does not appear to be of itself condemnatory. And it is clear that there are very few planters in Assam who would wish to stop the supply of liquor altogether.

21. As regards the surroundings of the liquor shops, I am to say that they are such as ordinarily prevail in Indian villages, and the Chief Commissioner fears that, in many cases, they leave much to be desired from the sanitary point of view. There appears to be a general opinion that impure water is used in adulterating country spirit, but this seems open to doubt, as most of the spirit is distilled at a very weak strength, and the result of Mr. Driberg's enquiry already referred to, showed that the spirit was scarcely ever diluted with water. Coolies who frequent a liquor shop, however, no doubt often drink water as well as spirit there, or on their way homewards, and an endeavour will be made to secure that each liquor shop is provided with a good well. It should not be difficult to arrange for this under a three-years' leasing system. There is no reason why licensees should not be required to keep their premises clean.

22. In the appendices* to Mr. Buckingham's memorandum, the evils which result from excessive drinking among tea-garden coolies are forcibly described and some very distressing instances are given, in which coolies have lost their lives, or sustained serious injury in brawls or accidents, or have contracted disease in consequence of indulgence in outstill liquor. The Chief Commissioner fears that it must be admitted that disgraceful scenes of drunkenness do occur in the neighbourhood of licensed shops. The results of recent surprise visits paid by reliable officers indicate that accounts have sometimes been exaggerated, and Mr. Fuller has received a reliable testimony to the effect that these scandals are not nearly so prominent as they were some years ago. But it is clear that in the vicinity of some liquor shops drunkenness and disorderly conduct are not infrequent, and he will do all that is possible to put a stop to them. He agrees to the proposals in paragraph 8 of Mr. Buckingham's memorandum of the 27th March, that a clause should be added to the license distinctly prohibiting the sale of liquor to any person already drunk, but he does not think that it goes far enough and he proposes to make a license liable to cancellation, with forfeiture of earnest-money in cases where drunkenness amounting to public nuisance occurs in the vicinity of a shop. Mr. Fuller believes that liquor sellers have their *clientèle* very largely in their control, and that they could prevent the occurrence of such scandals as are referred to, if they really desired to do so. He also assents to the proposal that a copy of the license should be hung up in every liquor shop. It would not be possible to prohibit sale to habitual drunkards, as there is no law in force in India under which a person can be declared an habitual drunkard, nor does Mr. Fuller think that such a law would be workable.

23. The Chief Commissioner cordially accepts Mr. Buckingham's suggestion that the managers and medical officers of tea gardens should be asked to co-operate with Government in bringing to notice breaches of the excise law. He does not consider it necessary for this purpose to formally authorise them to inspect liquor shops, nor could there be any advantage in empowering them to inspect the licensee's accounts, which would not throw light on the abuses which are specially complained of.

24. In conclusion, I am to say that the enquiry which has been made appears to show that such unsatisfactory features as excise administration in this province has displayed are due rather to errors of detail than to errors of principle, and that what is required is closer control and supervision, not a change of system. This conclusion is supported by the information which Mr. Fuller was able to collect during his extended tour of last cold weather. The distillation and sale of excise liquor have hitherto been controlled by the ordinary district staff, without the help of any special establishment, but the increase in the number of consumers of country spirit, and in the revenue derived therefrom, have rendered this control inadequate, and all the officers consulted have insisted on the necessity of closer supervision. A special staff for excise work will now be initiated, the sanction of the Secretary of State having been obtained to the appointment of three Excise Inspectors, two of whom will be members of the Provincial Civil Service, and one of the Subordinate Executive Service. It will be the principal duty of these officers to inspect liquor shops, seeing that the conditions of the licenses are observed, that bad liquor is not sold, and that drunkenness is not permitted at the shops or in their vicinity. They will be expected to acquire a practical acquaintance with the various processes employed and ingredients used in the preparation of spirit, and to introduce improvements in the methods of fermentation and distillation. With this object, the Chief Commissioner proposes to arrange, if possible, for having the Excise Inspectors trained under the Bengal Excise Department. They will also be required to gradually collect information as to the profits made by the licensees, which would be of assistance to the Deputy Commissioners in making the annual settlements of liquor licenses upon a fairer basis than that of auction competition.

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* Not printed.

25. Some strictness will be necessary at the outset in dealing with licensees; but I am to bring to notice that in effecting improvements in excise administration, the hands of Government a e in great measure tied by combinations of the liquor dealers, which render it very difficult to enforce the only really effective penalty, *viz.*, the cancellation of the license. It is most undesirable that the enforcement of rules should be hampered by apprehensions of a boycott, and much improvement would result were the dealers to realise that the Government is not solely dependent upon them for the resettlement of shops after cancellation of license. The Chief Commissioner has received offers of assistance from some members of the planting community, who, while generally unwilling to undertake to manage a liquor shop, have expressed their readiness to do so if their intervention is the only alternative to the retention of an unsatisfactory license. But it would be rarely possible to make an arrangement of this sort, and, if the Government of India see no objection, Mr. Fuller would be ready to undertake from time to time the direct management of a few shops, if so drastic a measure were needed, in order to bring the liquor dealers to reason. It is most improbable that such an undertaking would add materially to the responsibilities of Government, as it would suffice to show that we can work without licenses, in order to render liquor dealers more amenable to authority than they are at present.

Memo., dated the 2nd April 1902, by J. Buckingham, Esq., C.I.E., Chairman of the Assam Branch, Indian Tea Association.

Before proceeding with the difficult task of criticising the Excise system of Assam, I may say, we are all fully aware that mere denunciations of the iniquity of grog shops will not alone solve the practical difficulties that surround the question; we have therefore, while collecting evidence, which cannot fail to show the weaknesses of the outstill system in Assam, at the same time brought forward proposals which we consider will place the shops under more efficient control, thereby ameliorating the condition of the immigrant population.

In 1889 a commission was appointed by the Government of India, at the instance of the Secretary of State, to enquire into the various systems of Excise Administration in India, and I think I cannot do better than quote a few paragraphs from the Excise Commission's Report bearing on the excise of Assam.

In Assam we are concerned with the Outstill System only, which is described as follows:

Page 78 of the Excise Report—

"22. Next comes the outstill system properly so called. The difference between this "and the Farming system, described in the preceding paragraph, is that each still, "usually with one shop only attached, but sometimes a slightly larger number, is disposed "of separately. The right to manufacture at the outstill, and to sell the spirit there manu- "factured is sold by auction to the highest bidder. And in the original form of this system "the control over the monopolist is confined to ensuring that he manufactures and sells "only at the places mentioned in his contract. This system is in force in Assam, Burma, "and part of the North-Western Provinces and Oudh, and till recently it was the system "which prevailed most extensively in Lower Bengal."

As to carrying out the policy of Government which I quote later on from Mr. Driberg's report the Government of India decided that, having regard to the varying conditions of different provinces, it was thought desirable for the present, to leave to Local Governments, full discretion to decide what measures were expedient in each case.

The following orders were circulated to all Deputy Commissioners in the Assam Valley in 1880—*see page 209, Report of Commission:*

"The primary object to be kept in view is not the increase of abkari revenue, but to "avoid encouraging the illicit manufacture, and consumption of liquor, by regulating the "number of licensed shops in accordance with the demand, and by keeping these shops "under vigilant control: to effect this is surely not beyond the power of an energetic "district officer. There still remains the objection, naturally made by the planters to "having shops placed so close to their gardens as to be a source of daily and hourly temp- "tation to their coolies, and from this point of view the Chief Commissioner thinks that "the increase in the number of shops last year from eleven to twenty-six was unduly sudden, "and that you were insufficiently instructed in regard to the selection of localities for the "shops. It was no doubt necessary, in accordance with the Chief Commissioner's desire, "to give planters an opportunity of obtaining entire control over these shops, to place "them at such convenient distances from the tea gardens as would permit the planters "to exercise this control; but you should have been warned at the same time against "putting them in such immediate proximity to the gardens as to be an ever present "temptation to the coolie.

"When, therefore, you have revised your list of shops and fixed on the localities "where licenses are to be granted, you should, in the case of such shops as are mainly "for the convenience of garden coolies, and are not situated in large bazars, place yourself "in communication with the Managers whose coolies are likely to supply themselves from "those shops. You should explain what the objects of the Administration are, and that "in order to give the planters full control over the shops, you will give to any one of "them who may be willing to undertake the control of the shop, a license at the price "received for it last year (this, however, can be altered by you in case of necessity), and "that during the year no fresh shops will be licensed. It will then be fully within the "power of the planter, through the shopkeeper he may nominate, to prevent his coolies "getting more liquor than is good for them, or getting it at inconvenient hours or of "deleterious quality.

"SIR JAMES WESTLAND then proceeds to say at page 210—

"(40) The opinion I gather from reading the past history of the matter is that, "from the fact of the planters not coming forward with complaints, we have too easily "assumed that the policy laid down in 1880 had been sufficiently carried out, and that no "occasion for further restriction had arisen. On the other hand, the planters have too "often accepted as inevitable a state of things which if they had only brought it to notice, "and would give some assistance in putting it right, they would have found the officers of "Government quite willing to remedy. It is only by co-operation between the managers "and the officers of Government that the evils they allege can be remedied, and it was "upon this principle that the Chief Commissioner's orders of 1880 were based. The "establishment of the shops was justified upon the ground that the coolies must have "liquor and will get it illicitly if they do not obtain it by lawful means. Our hope was that "the planters would undertake the control of the shops; but that hope was entirely "disappointed, and they apparently would have nothing to do with the shops and, if "their present complaints are correct, they will not even do anything to prevent their "coolies indulging in excess in the licensed shops.

"(41) Even supposing the state of things is what the planters represent, I do not "think we can accept for the Government the entire responsibility for it. It arises at least "in part from the fact that the planters remain with their hands folded, and will do "nothing either towards the prevention of illicit liquor or the regulation of the traffic in "licit liquor. I am afraid that some of them knowingly permit illicit manufacture to go on "in their gardens, from a belief that the liquor so prepared, is not so harmful as that "obtained from the shops. I think the solution of the difficulty must be in the "establishment, in co-operation with the planter, of some *modus vivendi*, based on the "fact that the coolies require, and will by some means or other obtain, a certain amount "of liquor, and that the arrangements of the Government and of the planters should be "combined to ensure that the liquor they get will pay its proper tax, and will not be "excessive.

"(42) A circular was issued by the Chief Commissioner 25th June 1889, based on this "policy, calling on district officers for full information relating to the matters of which the "planters have complained, and directing them to consider, in communication with the "planters, what the best remedies are to be applied to any evils they bring to notice. "The circular indicates the necessity of co-operation on the planters' part, if any success "is to be obtained in the regulation of the sale of spirits.

"(43) The Government of India, in letter No. 1248, dated the 9th March 1889, "forwarding copy of a despatch to the Secretary of State on the subject of the outstill "system generally, directed the Chief Commissioner to arrange for a careful and "exhaustive enquiry into the facts connected with the Excise Administration of Assam. "Mr. Fitzpatrick has left on record his recommendation that Mr. Driberg should be "placed on special duty during next cold weather for the purpose of taking up the enquiry. "The enquiry will necessarily cover the whole ground which has been touched upon in "this Note, both the ascertainment of the facts, and the solution of the difficulties. My "object in this Note has been to explain in what state matters stand in this province, "and thus to indicate generally the matters to which the special enquiry which it is "intended to initiate should mainly be directed. The principles of Excise Administration "have been fully laid down in several recent letters and despatches, and may be described "as generally accepted and recognized; and we also possess both in the enclosures to "these letters and despatches and in several recent reports, the experience of the several "Local Governments, some of which at least bear upon the questions that have to be "solved in Assam.

Para. 28, page 208 of Report—

"The objection which the planters have to their coolies leaving the garden and drinking "at a neighbouring shop is most natural, and has the Chief Commissioner's sympathy. He "would far prefer that the planters should take out selling licenses, and let the coolies fully "supply their wants from their own rum-stores, but they do not care to do this, nor would "the price probably suit the coolies. But the Chief Commissioner does not think that,

"while over the whole of India an excise system is in force, which professes merely to "arrange that purchasers should be free to buy the liquor they want, provided only it pays "the excise duty, the Assam tea coolie should be an exception to the rule. The supply "has certainly not been forced in advance of the demand; on the contrary it has lagged "greatly behind it, and except by giving planters special facilities for controlling the vend "of taxed country spirits, the Chief Commissioner does not see how, consistently with the "ordinary principles of Excise Administration, the demand for the protection of the coolie "from drunkenness can be met.

"It is, however, possible to give the planter a better opportunity of control than he "has hitherto had, and it is certainly possible to place the shops where, without being "entirely out of reach of the consuming class they will not, as when placed at the entrance "to a tea garden, be a daily and hourly temptation to the coolie.

"The directions given were that a strict control should be kept over the shops that if "drunkenness or violence occurred the shops should be closed, and the planter allowed an "opportunity of taking over the lease without any enhancement of license-fee.

"*Para. 47, page 212 of Report*—

"The setting of the location of shops upon the principles laid down in the orders "quoted in paragraph 28 above, and the fixing of their prices upon the principles here "indicated, seem to me to be the chief means at our disposal of exercising a control over "the outstill system in this province. Even though planters refuse to take any active part "in the control of the supply of liquor, they have special facilities for getting information "which would be of use to the district authorities in exercising their control, and they "might perhaps be induced, more than at present seems to be the case, to give the district "authorities the benefit of their information, especially if we had, as I think we should have, "more systematic and constant means of gathering such information."

I may quote a few paragraphs from James Westland's Note to the Government of India on the Excise Problem in Assam in 1889—he remarked: "The planters have for many "years imported from 10,000 to 15,000 gallons of rum for issue to their coolies, but as they "issue it rather by way of reward than upon actual payment in cash, their issue of it is held "not to be within the restrictions of the Excise Act."

As to the statement regarding rum given to coolies as a reward, I may say that the custom now is almost obsolete, rum is now imported almost entirely for sick coolies, and usually an allowance is made for hospitals. At many gardens new coolies who show signs of being anæmic are given a tot of rum and milk once or twice a day. Sir James gave the amount of rum imported at from 10 to 15,000 gallons in 1889. I see the importation for last year is only 4,428 gallons by planters and 430 gallons by licensed vendors.

Sir James gave an extract from the Chief Commissioner's letter of the 3rd November 1880 showing what the policy then adopted was. "The directions given were that "a strict control should be kept over the shops, that if drunkenness or violence occurred, "the shops should be closed, and the planters allowed an opportunity of taking over the "lease without any enhancement of license-fee, also to prevent the planter being ousted by "being overbid at the yearly auctions the Chief Commissioner was willing as an experiment "to forego the expected increment of revenue, and settle the shops with the planters at "the same rent as last year." Sir James remarked that "planters did not come forward as the Chief Commissioner hoped they would" one Deputy Commissioner reported. "The planters have had the opportunity of purchasing shops, and thereby obtaining entire "control over them if they wished; they have not availed themselves of this, neither from "the replies received are they now willing to take advantage of the concession offered in "the Secretary's letter under reply."

I would ask if any one could honestly call the former proposal a "concession?" What would any principal in a manufacturing town say, if, after complaining of the harm a licensed liquor shop was doing to his mill hands, he was told that, as a concession, he would be granted a spirit license himself? Is it reasonable to expect that a planter should turn into a licensed vendor of spirits manufacturing his own liquor? A few planters may have come forward, and taken a license as a last resource, and I understand this was the case; however the matter was dropped on receipt of the following report from the Commissioner dated 3rd June 1882:

"From enquiries made during my recent tour, it is quite certain planters do not wish "to have control of liquor shops."

Sir James finished his memo. with the following: "The matter (alluding to planters "taking out licenses) therefore dropped, and it was assumed, apparently with reason, that "the planters acquiesced in the decision of the Government to tax the liquor consumed by "the coolies, and that as they were unwilling to undertake any active part themselves they

"had no objection to raise, to the system of licensed shops for distilled liquors." I am not aware that, planters at any time acquiesced in the present system of licensed shops for distilled liquor, but what I do know is, that if the policy of Government before quoted by me, regarding the cancellation of licenses for drunkenness, etc., had been persistently followed up, there would never have been any occasion for us to have taken up the matter in the way we now do.

It is curious to see how the Government of Assam falls back on the so-called "concession" to planters, for notwithstanding its signal failure in former Administrations, it was again attempted in 1899-1900 by Mr. Cotton, but of course with the same results as before.

Apart from the financial objection to tea estates and companies becoming abkars, practically every Company would have to be reconstructed to allow of its capital being used in a direction not contemplated by its articles! and although one administration after another has admitted the necessity of giving planters a control of the liquor shops at their doors, and advocated the co-operation of the planter as a necessity, if abuses are to be checked, and the Excise Administration made effective; the only possible *effective* control, *viz.*, "Inspection control" coupled with certain powers on proof of existence of abuses, has never been offered or suggested.

I will next touch on certain points that came out on the Special Inquiry into the Excise of Country Spirits in 1890.

In this year Mr. Driberg, Officiating Commissioner of Excise, Assam, was deputed by the Chief Commissioner, Assam, to make a careful and exhaustive enquiry into all matters connected with excise of country spirits in Assam.

The principles on which the Government of India based the Excise Administration were stated to be as follows:

(1) That any extension of the habit of drinking among the population of the province is to be discouraged.

(2) That the tax on spirits is to be as high as may be possible without giving rise to illicit methods of making and selling liquor.

(3) That, subject to these considerations, a maximum revenue should be raised from a minimum consumption of intoxicating liquors.

MR. DRIBERG said "I have endeavoured to find out if the drinking classes have "increased under our present system, or if people now drink more than they did formerly, "and my opinion is that there has been no increase in drinking or drunkenness beyond "the normal increase due to the larger number of gardens, and garden population and to "the increase in the wealth of coolies, and other classes who have always been in the habit "of drinking."

Now as nearly every Excise Report emphasises the fact that the revenue from country spirits is almost, if not entirely, derived from the spirit consumed by the coolie population, the following I think is a significant proof that there *is* greater tendency to drink than formerly.

The adult garden population for 1889-90 is given as 239,694, and the revenue from country spirits during that year amounted to Rs. 2,73,037.

For 1900-01 the garden adult population is given as 415,560, and the revenue from country spirits amounted to Rs. 6,97,584, or nearly half as much again in proportion to the adult population of gardens.

The HONOURABLE MR. COTTON himself states in his Excise Resolution dated July 1899 that although the number of liquor shops for that year remains about the same, still the amount bid for them shows an increase of upwards of a lakh of rupees, "the rapid "development of the revenue under this head is due to the increase of the immigrant popu-"lation by whom country spirit is almost exclusively consumed."

It has been alleged that the larger revenue from spirit shops is not an evidence of larger consumption, but that it is owing to stricter supervision by excise officers and consequently less illicit manufacture of spirits.

This theory may have held good years ago, but I most certainly deny that it has any force at present. Mr. Driburg in 1890 said that he did not consider that illicit distillation was carried on in either of the valleys to any considerable extent and when we consider the enormous price paid at present by the lessees of the licensed shops we may safely say they are the best excise officers we have, to see that their interests do not suffer, by any illicit stills in the district, or as the commission on excise state, the grant of a monopoly enlists, from strong motives of personal profits, the distillers and shop-keepers with all their local knowledge, on the side of prevention.

SIR WILLIAM HARCOURT and SIR ROPER LETHBRIDGE both considered that too much stress had been laid on illicit distillation, the latter did not "think that any great weight "need be assigned to the great bugbear of illicit distillation," and the former that "where "the sentiment of the great mass of the people was adverse to that traffic, they would have "the greatest security against illicit distillation."

MR. DRIBERG summarized his suggestions as follows:

"(1) That the size of the stills be limited in accordance with the position and value of "the shop, and that each shop be obliged to have its own still.

"(2) That the upset price of each outstill shop be fixed after careful enquiry in the "manner indicated, a higher price being fixed for the larger shops, and that the fee should "bear a direct relation to the profits of the shop. No shop (except on the frontier) should "pay a license-fee of less than Rs. 300 per annum in the Surma Valley, or Rs. 240 per "annum in the Assam Valley.

"(3) That certain shops be closed; no new shops to be opened without full enquiry "as to its necessity, and after obtaining the views of the residents of the neighbourhood, "and only with the sanction of the Commissioner of Excise.

"(4) That wherever possible, no shop be located inside a large market place or hât "frequented chiefly by garden coolies, but that it be situated half a mile to one mile outside "the hât and on the side where there are fewest gardens. This I propose in order to pre-"vent coolies, who go to the market for the purpose of buying food, being tempted to "drink, and I also suggest that wherever a shop is located in or near a large hât, the "police be always in attendance on hât days to prevent any drunkenness or misconduct.

"(5) That a minimum price for the sale of country spirits be fixed and that this price "be 6 annas per ordinary quart bottle.

"(6) That a Deputy Collector, and an Excise Inspector (with a sufficient number of "Excise peons) be attached to each of the districts of Sylhet, Cachar, Sibsagar, and "Lakhimpur, their duties to be more clearly specified separately."

I do not think it is sufficiently realized that the revenue derived from drink comes out of the pockets of the coolies who are acknowledged to be almost the only consumers of liquor; they have to pay (first) the value of the liquor, (secondly) the revenue from the liquor-shops, and (thirdly) the profits earned by the abkars; it follows therefore that the less coolies spend in liquor the more prosperous they must be, and they would certainly be in far better position of contributing to the expenses of the nation; and it also follows that so long as every facility is given them of drinking to excess, as under the present system their wages will be, and remain in reality, and not merely on paper, "a miserable "average pittance." It is urged by many that Government cannot sacrifice such a revenue, as it now receives from excise, for the sake of temperance. Those who bying this forward, to support their views, could never have seen the orders issued to revenue officers in India in 1838.

It ran as follows:—"It cannot be too strongly urged upon collectors that the object which "Government has in view, is to restrain, and if possible to correct and diminish the total "actual consumption of spirituous liquors whether clandestine or licensed, being fully "persuaded that any amount of revenue that may be lost by the efficiency of the system for "this end will be repaid one hundredfold in the preservation and advancement of "moral feelings and industrious habits among the people."

In 1890 the Government of India admitted to the Secretary of State that an error was committed in so greatly extending the outstill system after 1877.

MR. COCKERELL, member of the Board of Revenue, said in 1884: "In the general "opinion of the district officers as well as of non-official Europeans, and respectable "native residents, the introduction of the outstill system has been accompanied with a "decided increase of drinking and drunkenness."

It is the greatest mistake to say that drinking and drunkenness have for many years been rife in India. We know from experience that new coolies are not usually given to intemperate habits, but they acquire them after being in the country a few years. The Government of India themselves say in a despatch dated June 25th, 1887, that "judged by "an European standard, the people of India are a remarkably abstemious people, drunken-"ness, in the English sense of the term, hardly exists in India." *If this truly describes the state of India generally, surely Assam, from the facts now laid before us, has degenerated in a very marked degree.*

In the Government of India's letter dated 4th February 1890 to Her Majesty's Secretary of State for India, it was said "that it was a matter for regret that the statements made in "the debate on the Indian excise system should have been inaccurate and misleading."

This was in answer to the following resolution passed by the House of Commons, *viz.*, "that in the opinion of this House, the fiscal system of the Government of India leads to "the establishment of spirit distilleries, liquor, and opium shops in large numbers of

"places, where till recently they never existed, in defiance of native opinion and the pro-
"tests of the inhabitants, and that such increased facilities for drinking, produce a steadily
"increasing consumption, and spread misery and ruin among the industrial classes of
"India, calling for immediate action on the part of the Government of India with a view to
"their abatement."

I believe that if the Government of India had been cognizant of the actual working of the outstill system in Assam, an answer such as that above quoted would never have been given to the Secretary of State.

Sir James Westland accuses us as having too often accepted as inevitable a state of things which, if we had only exposed them, the Government of Assam would have been only too glad to have come to our assistance; we are also told that we have remained with our arms folded, and would do nothing either towards the prevention of illicit liquor or the regulation of the traffic in licit liquor. That there *has* been in past years a certain amount of apathy on our part I will not deny, but at the same time I most emphatically state that district officers have had too much regard to the revenue derived from excise to take the precautions they might have, to see that the principles laid down by the Government of India were complied with, and I am supported in this statement by paragraph 5 in the Secretary of State's Despatches dated 16th May 1889, and also in the Despatch dated 19th April 1888. See pages 74 to 77 of this file. Alluding to increase in revenue the Excise Commissioner in his report for 1898-99 says: "During the past year all districts, "except Goalpara, Darrang, and the Khasia Hills, in which there was a decrease, contributed "towards the increase. Taking the districts in the order of their increase, it will be found "that Lakhimpur heads the list, with a very large increase of Rs. 53,099 or 53·57 per "cent. This increase was not due to any increase in the number of shops, but to keen "competition amongst the Mahaldars, in anticipation of larger business, owing to the "increase in the foreign population of the district, and also to the interest taken by the "late Mr. Duncan in the settlement of shops. This increase, though large for one year, "is not disproportionate to the increase in the foreign element of the district." Mr. Davis then gives the immigrant population on the tea gardens for the past five years:

1893-94	91,218
1894-95	93,707
1895-96	101,243
1896-97	108,251
1897-98	124,943

On checking these figures, I find they do not agree at all with the Immigration Report for 1898; at page 15 of the Immigration Report for 1897 the following totals are given for Lakhimpur:

Act coolies	46,428
Non-Act coolies	35,529
	81,957
Children	39,501
Total	121,458

for 1898, the following figures are given:

Act coolies	45,781
Non-Act coolies	39,193
	84,974
Children	43,059
Total	128,033

Now we have an increase in the adult population for 1898 of only 3,017 adults. should say therefore that an increase of 53·57 per cent. in excise revenue *was most disproportionate to the increase in the foreign* element of the district and from this increase in revenue Mr. Duncan got kudos; Captain Herbert also comes in for praise for an increment in revenue (see page 11, Excise Export from 1898-99).

The Honourable Mr. Cotton in his letter to Mr. Anderson says that few complaints were made to him in his tours. Until very lately records have not been kept of complaints; *the complaints and cases recorded* at the end of this memorandum are for the most part those that have occurred during the last six months*, and I have no hesitation in saying that they do not represent one half of the cases that have actually occurred; I trust however we shall not again be accused of accepting the inevitable or keeping our arms folded, if we are, we must redouble our exertions to prove our case.

* Not printed.

I do not think it is generally known that the liquor question in Assam was the subject of discussion in the House of Lords in May last (see pages 79 and 80), and I also give an extract from the "Abkari" on the same pages.*

GENERAL MCGREGOR, C.B., D.S.O., Commanding the Assam District, wrote me on the 17th June last regarding the rum supplied to the Assam regiments; he said, "The only "two regiments which are supplied with rum in the Assam District are the 43rd and 44th "Gurkhas; the rum is obtained on payment from the Commissariat, Calcutta; I don't know "where it is got from originally.

"The Gurkha regiments have been supplied with rum on payment for many years "(quite 20) and rum was got up so that men should have a decent sort of liquor, and not "be obliged to drink the vile hill liquor. I can quite imagine that the liquor in the plains "of Assam is equally injurious." I understand these Gurkha regiments have their canteen which are closely supervised by a committee of native officers with British officer as President, a wholesome liquor is supplied made up to a certain strength, and no man is allowed to get more than a certain quantity at one time.

Can there be more overwhelming proof than this, that the liquor made at the out-stills is generally unfit for human consumption?

His Excellency the Viceroy in his address to the Army Temperance Association at Simla in June last sounded a very certain note on temperance in the Army, which cannot but equally apply to labour all over India "none will deny," His Excellency said, "that a sober soldier is better than an intoxicated one, and a moderate drinker "than a hard drinker, and a total abstainer better than all." "If," His Excellency continued, "every Commanding Officer in India were told that he "himself would be judged by the sobriety "of his regiment, and that a flourishing canteen fund would be looked upon as a mark "of a bad colonel, it would be a most excellent thing." I will take the risk of censure, when I say, that this remark of His Excellency's should apply in the same way to the administration of excise in the Province of Assam.

I will now make a summary of the various proposals that have been made, many of which are most practical, and if adopted would I think place the Excise system on a much sounder basis than it is at present.

(1) Perhaps the most serious charge made by medical officers of the valley is, that in many instances the water used for the manufacture of spirit is of the filthiest description, being the drainage from the surrounding houses. It should be a sine qua non *that unless the license holder can show to the satisfaction of the Civil Medical Officer or to any other officers appointed for that purpose, that he can secure throughout the year a good supply of pure water, his license should be withheld.*

(2) That grog on no account should be sold in or near a hât where a large number of coolies are collected. This was a suggestion of Mr. Driberg.

(3) That unless accurate accounts are kept by the abkars showing the quantity of liquor manufactured and sold, the lessee should have his license cancelled. (These accounts if ever furnished by abkars are intentionally misleading and incorrect.)

(4) That drunkenness should not be allowed either within or near the abkar's shop (the present form of license does not permit any drunken person "to remain in his shop"), and that on being twice convicted of permitting drunkenness, and disorderly conduct in or near his shop, his license should be cancelled.

(5) That not more than one bottle of a certain proof should be sold to any one coolie at a time. At present any person can purchase no less than six bottles at a time.

(6) That the liquor sold should be of a certain fixed proof, without this it seems worse than useless fixing any price on a bottle. (The present price is 0-6-0.)

(7) That on any deleterious matter being found with the grog on analysis, the vendor should at once forfeit his license.

(8) That a certain fixed distance from gardens should be laid down for the site of grog shops.

(9) That coolies should get permit tickets from Managers before they could get grog. (I do not myself see how this could be worked.)

(10) That police should always be in attendance on hât days to prevent drunkenness or misconduct. This was also suggested by Mr. Driberg.

(11) That the supervision over grog shops should be far stricter than it is at present. Mr. Driberg suggested that there should be a Deputy Collector, and an Excise Inspector with peons for each district.

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* Not printed.

(12) That medical officers of tea estates should be invested with special powers to inspect grog-shops, and to suspend the licenses of Abkars for one month, with the approval of the Deputy Commissioner.

(13) That more use be made of District Committees of the Tea Association to enquire locally into breaches of the Excise Act or non-fulfilment of stipulations laid down in licenses.

(14) That grog shops be closed earlier on Sundays, say 4 p. m., and that grog shopkeepers be prohibited from giving nautches and tamashas at or near their shops.

(15) Last, but not least, I see a few propose the total abolition of grog shops.

I think I have now summarised all the proposals made, and submit they are in the main both sound and practicable.

I cannot close this memorandum without regretting exceedingly on behalf of the Assam Branch Indian Tea Association that we have to place such a formidable looking file before His Honour the Chief Commissioner, so soon after his arrival in the province. We can however assure His Honour that we are fully aware of the intricacy of the question, but if by mutual assistance we can relieve the Government of Assam of any of the difficulties of the situation, we shall be only too ready to do so.

Circular No. 27-R., dated Shillong, the 22nd August 1902.

From—F. C. HENNIKER, Esq., Officiating Secretary to the Chief Commissioner of Assam,

To—The Deputy Commissioners of Labour Districts, Assam.

I am directed to forward, with the following remarks, a copy of a memorandum on the excise administration of Assam which has been written by Mr. J. Buckingham, C.I.E., and has been forwarded for the consideration of the Officiating Chief Commissioner by the Assam Branch of the Indian Tea Association.

2. Within the last twenty years the excise arrangements of Assam have been four times subjected to examination. In 1880 a discussion which followed the publication of some criticisms in the *Englishman*, led to the formal adoption of the plan of inviting planters to themselves manage liquor shops which supplied their coolies. In 1886, and again in 1889, Assam, in common with other Indian Provinces, reviewed its excise administration in consequence of a representation that was submitted by the British and Colonial Temperance Congress and in pursuance of a resolution that was passed by the House of Commons. And in 1890, Mr. Driberg, the then Commissioner of Excise, conducted some special enquiries, which were the outcome of complaints formulated by Messrs. Finlay, Muir & Co. It cannot, then, be stated that the question has not received a good deal of consideration; but having regard to its importance, Mr. Fuller is quite willing to reopen it.

3. There are two conclusions, however, which he holds to have been finally established by the investigations that have already been made. The first is that the imported coolie population of the province is mainly recruited from classes who are in the habit of drinking fermented or distilled liquor, and that, in affording them opportunities of obtaining liquor in Assam, the Government is merely supplying an existing want, not creating a new one. This conclusion Mr. Fuller can endorse from his personal acquaintance with the classes from whom a very large proportion of garden coolies are drawn. The reality of the demand for liquor may be inferred from the correspondence that exists between the consumption of the Assam and Surma Valleys. Thus, taking the male adult immigrant population living on tea gardens or outside them, the incidence of the excise revenue per head is Rs. 2·7 and Rs. 2·6—or about 3½ per cent. of the coolies' average income—in Lakhimpur and Cachar, respectively, and Rs. 2·4 and Rs. 2·2 in Sibsagar and Sylhet. The second conclusion is that if coolies are denied excise liquor, they will brew rice-beer, and that there can be a great deal of drunkenness and demoralisation on tea estates which are quite unaffected by licensed liquor shops. There is a passage in Mr. Buckingham's memorandum which may be taken to imply that the tea-garden coolie is naturally an abstemious man. This is a view which, in Mr. Fuller's opinion, is quite untenable. Moreover, certain of the views which are referred to in the memorandum are coloured by the idea that coolies can be or should be altogether prevented from drinking. This is a reform which is both hopeless and unjustifiable. The Officiating Chief Commissioner can see no reason why we should expect a higher standard of restraint amongst the coolies on a tea garden than amongst the labouring classes in Europe.

4. Reference has already been made to the willingness of the Administration to settle with planters the shops which supply their gardens. This expedient has not found favour with the planters of the Assam Valley. The objections which are taken to it by Mr. Buckingham do not appear to be convincing, and it would seem difficult to find a more reasonable proposition than that a tea garden may conveniently include a canteen

for the coolies employed in it. This opinion is, moreover, borne out by practical experience in the Surma Valley, where, it is understood, the objections to garden shops are not appreciated and where many shops have been successfully taken under garden management. I am to ask you to discuss this question with some representative planters of your district and to ascertain their views. An important issue depends upon it. Where abuses now occur they can probably be effectually remedied only by the cancellation of some liquor dealers' licenses: dealers readily combine, and it is quite possible that no one would be forthcoming to take up a cancelled license. In these circumstances, the hands of the Government would be greatly strengthened were planters willing to take up leases. The alternative would be direct management by Government which, while not altogether out of the question, is obviously open to serious objection.

5. A second point of importance upon which I am to ask for opinion is as to the "distance" limit. The rule in force is that "no liquor shop should ordinarily be in a bazar or at the entrance of a bazar, nor near a bathing ghât or place of public resort, school, hospital, place of worship, factory, the interior of a village, the side of a road leading to a bathing ghât, or a place of water-supply." The rule makes no express reference to tea gardens, because, apparently, the planting community is not agreed upon the question whether it is in the interests of a garden that a liquor shop should be close to it—or indeed within its limits—so as to be readily watched, or should be at some distance away, so as to offer no immediate temptation to the coolies. Mr. Buckingham recommends that a "certain fixed distance from gardens should be laid down for the site of grog shops." But where gardens are numerous, shops must obviously be nearer some gardens than others; and, moreover, it would be difficult to lay down a hard-and-fast rule unless there was some approach to unanimity as to the principle to be adopted. Mr. Fuller would be glad if you would discuss this question also with some representatives of the planting community and inform him of their opinion and your own. Believing, as he does, that scandals can be only prevented by supervision, he cannot but think that if planters realised that their complaints would receive prompt attention, they would prefer to see shops near their gardens than at a distance from them. But Mr. Fuller no doubt does not appreciate all the bearings of the question. Mr. Buckingham's recommendations include one that liquor should not be sold in or near a bazar. This seems to be already provided for by the existing rule. But I am to ask for information as to the actual facts of current practice in your district. Your advice is also requested upon the recommendation that shops be closed early on Sunday afternoon, and that the shop-keepers be prohibited from giving the coolies *tamashas*. If drunkenness is stopped, very early closing would hardly seem necessary. *Tamashas* are presumably only given on rare occasions, and the need of prohibiting them is doubtful. Garden coolies have very few pleasures.

6. Two recommendations of Mr. Driberg's which were accepted in 1890 were that caution should be exercised in opening new shops, and that liquor should not be obtainable at a cheaper price than 6 annas a bottle. That practical effect has been given to the first of these counsels is evident from the fact that although the male adult coolie population has increased by 50 per cent. during the last ten years the number of liquor shops has risen by 10 per cent. only, so that the growth of the excise revenue cannot fairly be attributed to the increase of facilities for obtaining liquor. But it is quite clear that the minimum price rule is constantly broken. A rate of 6 annas a bottle is no doubt high: the Bengal Excise Commission of 1883 recommended that the minimum price should vary with the locality, being nowhere below two annas a bottle. The Officiating Chief Commissioner desires, however, that the existing rule be strictly enforced. Small fines are useless as deterrents, and the proper remedy is to cancel the license and forfeit the earnest-money of a prominent offender. Very few such punishments would suffice. In connection with this question, the Officiating Chief Commissioner would be glad to learn whether a lower limit than six bottles might not reasonably be fixed for the maximum quantity which may be sold to a single person. A proposal to fix the maximum at three bottles was considered and negatived three years ago, but Mr. Fuller is unaware of the arguments upon which this question turns. *Primâ facie*, six bottles are certainly too large a quantity to be sold to a single purchaser. Does the case in favour of this limit rest upon the fact that coolies habitually purchase for others besides themselves, or is so high a limit permitted in order to enable a coolie to purchase a week's supply each Sunday? Mr. Buckingham would have the limit reduced to one bottle. This would be a very large departure from present practice, and would probably only be fair in the case of shops which are situated within or close to tea gardens.

7. It is feared that there is good foundation for the complaint that in some localities a scandalous amount of drunkenness is to be seen amongst the coolies returning from the liquor shop. Mr. Fuller thinks that the critics would have been less severe had they carried their memory back to what they must have seen in some English towns on a Saturday night. But he holds that scenes such as are described in these papers cannot but be taken to discredit the districts in which they occur; and their occurrence must be prevented in future even at the cost of some loss of excise revenue. He realises the difficulties of the position. The employment of police as excise men may not improbably lead to black-mailing, but he would be glad to learn how far police are now employed to keep

order at weekly bazars, and whether they should be more extensively employed in future. It is probable that drunkenness can be effectively stopped only by holding the licensee of the shop responsible for its non-occurrence, but logically one can hardly hold a liquor-seller answerable because coolies club their purchases and drink to excess outside his shop. Mr. Fuller thinks, however, that the existence of a public nuisance should be made a ground for cancelling a license, though it would be scarcely fair to forfeit the earnest-money unless it could be proved that liquor was supplied to men who were already the worse for it. I am to ask for an expression of your opinion on this point.

8. Another complaint which is entitled to much consideration is that the liquor is bad, and deleterious to health. Analyses effected during many years past have failed to show that the liquor is adulterated. But they have not touched upon the proportion of noxious alcohol (commonly known as fusel oil), and it is observed that the analyses which are quoted by Mr. Buckingham also fail to give definite information on this point. Fusel oil may occur in poisonously large quantities in liquor which is distilled at a high temperature, and the means of determining quantitatively its presence is now receiving the Officiating Chief Commissioner's consideration. It may be observed in this connection that the conditions under which liquor is distilled in this province would probably render it impossible to prescribe definite standards of strength for all liquor offered for sale. But this is a point which might be considered by you and be touched upon in your reply.

9. Much stress is laid upon the need of insisting upon the use of good water in the manufacture of liquor. It is, of course, desirable that clean water should be used, though the Officiating Chief Commissioner opines that distillation must rid water of most impurities. I am to ask whether any practicable conditions could be usefully imposed upon licensees in this connection. There is no reason why a liquor shop should not be kept neat and clean, and such insanitary surroundings as are described in some of the annexures to the memorandum should not be tolerated.

10. It seems probable that, to ensure the observance of the rules, liquor shops require closer supervision than they have received in the past. The sale accounts are admittedly often unreliable. The employment of a low-paid inspecting agency would be ineffective except in diminishing the profits of the licensees, and inspectors' posts must be well paid and be filled by reliable officers. The Officiating Chief Commissioner has now under consideration the question of appointing some special officers to assist Deputy Commissioners in their excise arrangements.

11. There remain two recommendations,—that the medical officers of tea estates should be invested with powers to inspect liquor shops and to suspend licenses for a month with the Deputy Commissioner's approval; and that the services of the District Committees of the Tea Associations should be utilised to make local enquiries in breach of the excise law and rules. The Administration will cordially welcome the co-operation of planters and medical officers in protecting coolies against the supply of an excessive amount of liquor or of bad liquor, and the Officiating Chief Commissioner is confident that definite information which is furnished to the Deputy Commissioner will be received without cavil and will be promptly acted upon. So far as he has been able to ascertain, complaints have been by no means numerous in the past. But I am to observe that it is expected that any information which may be given will be first hand, and will not be gathered from the reports of garden subordinates. The licensees are themselves entitled to some consideration, and it would not be fair to them to accept as reliable complaints which would very often merely be used as a means of black-mailing. Complaints of liquor shop management should be separately registered in each district and subdivisional office, and a note should be entered in each case of the action taken and of its result. It would hardly be possible to invest the Managers or medical officers of gardens with any direct authority over liquor shops.

12. I am to request that your reply to this letter may be despatched through the Commissioner of Excise not later than the 1st January next.

Memorandum, dated the 27th March 1903, by Mr. J. Buckingham, C.I.E.

I must first acknowledge the courtesy of the Honourable the Chief Commissioner in allowing this matter to stand over until my return to Assam. Before proceeding, however, to discuss the various proposals put forward for the better administration of excise in Assam, I should like it to be distinctly understood that my impression is, and always has been, that, with a little mutual concert, the Assam Administration and planters could greatly minimise the abuses of the liquor traffic, and put the whole system on a better footing. I endeavoured to impress this upon our friends at home, who are only too anxious and ready to come forward and help us.

The subject certainly did get into Parliament, but Mr. Caine, M. P., just before I left England wrote the following to me: "I shall not take the matter to a division, because, as an enquiry is in progress, it would not be fair to the Government of India." I believe we have in the Honourable Mr. Fuller a Chief Commissioner who fully realizes the evils of the present excise system, to him therefore we must go first; if we are not satisfied with his decision, we can appeal to the Viceroy, and as a last resource we have many friends, Members of Parliament at home, who will take our cause up to the bitter end.

Our only apology therefore to the Honourable Mr. Fuller is, that the evils of the present excise system were constantly laid before our late Chief Commissioner, both by myself and other planters with little or no result.

On the 3rd October 1899 I wrote a long circular, and among other things said—"The combination of interests which for the last few years has been a special feature in the Assam Valley justifies a belief that if the liquor question is revived and fought out, it is absolutely certain that radical changes will be made, even if we have to go to the Secretary of State, and it is with this certainty that I call on all those interested in the question to collect as many proofs as possible of offences against the excise laws."

In July 1900 the subject was again brought forward by me at our annual meeting, and another circular was issued by me which resulted in the memorandum now under discussion. I think therefore Earl Percy was wrong when he said in his maiden speech on the 11th of November last—"But the *fons et origo* of the agitation was really the lack of an adequate labour force." How could this be, when in 1900 the labour force in Assam was higher by 20,000 coolies than it ever had been before, and 62,733 immigrants were imported, against 31,908 the previous year?

Again our late Chief Commissioner, Sir H. Cotton, said that the agitation on the liquor question was only a red herring drawn across the trail, alluding to the controversy we had, when Act VI was before His Excellency's Council. Why we had taken up the liquor question in earnest two years before the Act was passed. Mr. Labouchere made the same remark, but we can excuse him, because he was ignorant of facts, not so Sir H. Cotton.

In 1898 Mr. Anderson, the President of the Tea Association, Calcutta, bitterly complained to Sir H. Cotton of the Excise system. (In that year the revenue demand jumped from Rs. 92,059 to Rs. 1,42,788.) Sir H. Cotton merely said that he did not think there was much to complain of, and at the same time stated he "fully recognised the general grievance, but upon such general statements as made in the correspondence, it would be useless to take further action."

In 1889 in answer to various complaints *re* liquor shops, the Chief Commissioner recommended Managers of gardens to make certain restrictions on drinking, a condition of a coolie's services; that the coolie should be restricted to such quantity of liquor on any one day as might be fixed by the Manager. In practice I think this would have been impossible; we were told also "that steps were being taken to reform the outstill system generally, but that it was a very difficult and complicated matter, and that it would take some time." Truly it *has* taken some time.

I simply give the above facts to show that the measures we have lately taken were not the outcome of any sudden burst of feeling, or that it was in any way "a red herring drawn across the trail." The matter had been brewing for years.

RECOMMENDATIONS.

The Honourable the Chief Commissioner in his letter to all Deputy Commissioners, dated the 22nd August 1902, treats very fully of the recommendations in my memorandum.

Since however the memorandum was published, the experience I have gained in talking the matter over with so many practical men, together with further suggestions made by District Committees, and last but not least, some excellent suggestions made by newspaper correspondents, especially two letters published in the *Englishman* of the 27th January and 4th February enables me to add recommendations which I hope may be duly considered by the Chief Commissioner.

1.—SUPERVISION.

All agree that the present supervision of liquor shops is next to useless. We propose therefore that there should be a separate Excise Department. We doubt much if this could be worked by the subordinate branch of the police. We would suggest that there should be Deputy Collectors and Excice Inspectors, corresponding in rank to Extra Assistant Commissioners in the Provincial service, and that it would be their duty to see that the law is strictly enforced.

Inspectors should strictly enforce the price limit. They should frequently have the liquor tested. They should also report if any serious cases of drunkenness occur near the abkar's shop.

I may mention that Mr. Driberg who was deputed in 1890 to make a full enquiry into excise in Assam, strongly recommended what we have now suggested regarding Deputy Collectors and Excise Inspectors with a sufficient number of excise peons, he must therefore have been fully convinced in his own mind that the present supervision was lamentably inadequate.

2. The medical officers in the district should be asked to co-operate with Government in bringing to notice breaches of the Excise Act. They should have power to inspect liquor shops and their surroundings; they should also be allowed to inspect the books of the Abkar. In cases where there is no medical officer within 10 miles an employer of labourers should have the above mentioned powers conferred upon him. The Chief Commissioner remarks in his circular that it would be hardly possible to invest medical officer with any direct authority over liquor shops, if such is impossible, inspections such as proposed might be allowed.

3. That no new shops should be opened without consulting local opinion, *i.e.*, the employers of labour in the vicinity.

The sites also for grog shops should be subject to the approval of planters in the vicinity. There would I think be a great difficulty in defining any distance a grog shop should be from a factory.

The removal of any grog shops should however be conceded, should planters show that they are a public nuisance.

4. That when there is no good water to be had near a grog shop the Abkar should be enforced to make a well at his own expense, or to distill the water he uses for mixing with liquor.

5. That no grog shop should be allowed within a mile of any place of public resort such as a hât, and that the holder of the license for manufacturing spirits shall not be allowed to effect the sale of spirits at any other place, but at the shop, for which the license is granted. This latter recommendation is supposed to be in force under clause V of the Abkar's license, but immediately afterwards under clause VI this rule is annulled by stating that he can remove the produce of his still to any place with a pass from the Deputy Commissioner.

I may state that rule V is constantly ignored, and liquor is sold *ad libitum* in many hâts, where coolies congregate in immense numbers, and instead of spending their money on wholesome food, they are tempted to purchase liquor.

Here we are only bringing forward again a suggestion of Mr. Driberg's, he would not have a grog shop even *on the garden side of a hât*, much less would be therefore have countenanced the sale of liquor in a hât.

Any more stringent rules framed about disallowing drunkenness, in or near a shop, would be quite ineffectual, if spirits are allowed to be hawked about away *from* the shop.

6. That all liquor shops should be closed on Sundays at 2. P.M. or on any other day the Deputy Commissioner thinks advisable when serious objections are raised by the planting community in the vicinity.

7. I should like to call particular attention to Messrs. D. Waldie & Co.'s remarks* regarding the injurious effects of fusel oil, and the large amount of this oil which was found in the spirit they analysed, we cannot but call for the serious attention of Government to this, and we would ask the Chief Commissioner to consider if it is not possible to adopt some measure such as compulsory bonding, so as to check the evils of the consumption of newly made spirits. I may mention that this was made a great point of in England both in the majority and minority reports of the Royal Commission on the licensing laws.

8. The clauses in the Abkar's license regarding drunkenness are not stringent enough. By clause XIII he certainly has to prevent drunkenness, but by clause XI, if any unfortunate individual does get drunk, he has at once to turn him out of his shop, clause XI seems to me, therfore, to condone clause XIII. There should certainly be a distinct penalty for permitting drunkenness or for selling drink to drunken persons, also, that if drunkenness exists in and about the neighbourhood of the shop, the licensee should be liable to have his license cancelled.

With regard to a penalty for permitting drunkenness, I see that it was very strongly urged in the Royal Commission Report that the onus of proof for permitting drunkenness should be on the publican, that is, the license holders should be required to prove that he and the persons employed were ignorant of the drunkenness, and took steps to prevent it; both here and at home the burden of proof rests with the police, and it is exceedingly difficult for them, under the present law, to prove even palpable cases.

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* Not printed.

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9. That there should be a prohibition of sale of liquor to habitual drunkards, and that any Abkar selling to any one declared to be an habitual drunkard should be liable to a fine and on a second conviction to have his license cancelled.

Two convictions should be sufficient for a man to be declared an habitual drunkard.

10. That the Abkar license should plainly define all the rules and penalties under which he accepts the license; it should also include a clause to the effect that any one giving such information as would lead to the conviction of the licensee for any breach of rules would be rewarded.

A copy of the license should be placed in some conspicuous place outside the Abkar's shop in English and vernacular.

11. As regards a proposition to have a central distillery system, I may state that this has been already tried in Assam, and proved a failure, but I have a proposition to make which I am inclined to think might be received favourably, not only by employers of labour but also by Government; and it is, that the canteen system be tried at a few gardens on almost the same principle that a canteen is arranged for in native regiments.

At first I should put no prohibition to coolies getting liquor from shops, it would simply be a matter of choice, three bottles of inferior liquor at Rs. 1-2-0, or one bottle of sound wholesome liquor at about Rs. 1-6-0.

In paragraph 4 of the Honourable Mr. Fuller's letter he says, "The objections which are taken to it" (alluding to the willingness of the administration to settle the shops with planters) "by Mr. Buckingham do not appear to be convincing and it would seem difficult to find a more reasonable proposition than that a tea garden may conveniently include a canteen "for the coolies employed on it." I think there is a great difference between distilling liquor and selling it, and simply selling liquor retail, or in other words having what I believe is customary in every regiment a barrack tavern, usually called a canteen. I understand that at present there is no prohibition whatever to planters importing liquor and selling it to coolies, provided it is not sold at a profit, but I am not aware of this system being adopted to any such extent, that one could call it a canteen.

In placing this memorandum before the Chief Commissioner I think I have dealt with all the practical proposals that have come before me, they may however in some instances be slightly modified.

No. 2015 S. R., dated Calcutta, the 26th March 1904.

From—E. N BAKER, Esq., C.S.I., I.C.S., Secretary to the Government of India, Finance and Commerce Department,

To—The Honourable the Chief Commissioner of Assam,

I am directed to convey the following observations and orders of the Government of India on your report, submitted in Mr. Monahan's letter $\frac{436\text{-Finance}}{1905}$ F., dated the 25th August 1903, regarding the complaints made by Mr. J. Buckingham, C.I.E., Chairman of the Assam Branch, Indian Tea Association, against the excise administration in Assam in respect of the sale of country spirit.

2. I am to say at the outset that the Government of India are satisfied from the evidence which has been collected by Mr. Buckingham and from the reports* of local officers which accompanied Mr. Monahan's letter that drunkenness does prevail to an undesirable extent among the garden coolies in Assam, and that they would deprecate any attempt to excuse or belittle the evil. In particular they are not disposed to accept as possessing great force the argument set forth in your Circular No. 27 R. of the 22nd of August 1902, and again in the opening paragraphs of Mr. Monahan's letter, to the effect that the coolies come to Assam with a taste for liquor acquired in the provinces from which they are recruited. The Government of India doubt whether there are sufficient grounds for describing the immigrants as "habitual drinkers" in their own country, and they find it admitted by many local officers, among whom may be mentioned Mr. Lees, the Deputy Commissioner of Darrang, and Mr. Davis, the Excise Commissioner, that many of the coolies only take to country spirits after their arrival in Assam, and that others who formerly drank in moderation now drink to excess. The various counterpleas which have been put forward in your report do not seem to the Government of India to invalidate the general conclusion that the system pursued in Assam does induce the habit of drinking to excess where it did not formerly exist, and does aggravate the taste for liquor, by furnishing and multiplying the opportunties of obtaining it, where that taste has already been created or may hitherto have lain dormant.

3. The Government of India are further unable to accept the argument that, if the coolies were deprived of excise liquor and driven to consume rice-beer, the consequences

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* Not printed.

would be still more demoralizing. While agreeing that a system under some control is better than a system under none, they are not prepared to admit that home-brewed fermented liquor is in general as harmful a drink as spirits distilled after country methods and under practically no supervision.

4. Similarly the proposition is not accepted that drinking among the coolies is not generally injurious, and that a certain amount of liquor is even positively beneficial. Even if the latter statement is true, it is beside the point, for it is not proposed to prevent the consumption of liquor altogether, but merely to prevent the sale of noxious liquors and to check excessive drinking. The Government of India prefer frankly to recognize the gravity of the evil, and they are disposed to welcome all practical suggestions for mitigating it.

5. A long step forward would be made if the central distillery system could be introduced into Assam. That system possesses substantial advantages, in that it enables the strength of each issue to be tested and regulated, and that it gives to the Government some control over the methods of manufacture, thus rendering it possible to effect improvements in the quality of the liquor. Under this system moreover, the duty, as distinguished from the vend fees, is proportionate to the quantity of liquor consumed, and the inducement to the distiller to push his sales is therefore less than under the outstill system. You point out that the facilities for illicit distillation which exist in Assam form a serious obstacle to the success of central distilleries, and a further objection presents itself in the length and difficulty of communications in the greater part of the province. The Government of India regretfully acknowledge the force of these objections, and for the present they regard them as fatal to any radical or universal change of system, a measure which, it may be observed, is not advocated by the planting community itself. You say, however, that you would be willing to give the central distillery system a trial in one sub-division, were it not for the great difficulty of preventing liquor from adjacent outstill areas from competing with the produce of the central distillery.

6. The smuggling difficulty, however, is not insurmountable, and has been met in other provinces, where the two systems exist side by side, by the following measures:—

(1) the organization of an efficient preventive force;
(2) the careful adjustment of the central distillery and outstill prices of liquor;
(3) the removal of the outstills as far as possible from the boundaries of the distillery area; and
(4) the compulsory colouring of either the distillery or the outstill liquor so as to facilitate its detection outside the area of legitimate supply.

There appears to be no reason why these measures should not be successful in Assam, and I am therefore to ask that one more attempt may be made to introduce the central distillery system. Your proposal to try it in one sub-division only appears to the Government of India to be too small a beginning, and they consider that the experiment should be given a full and fair trial in the whole of one or more selected districts. They would be willing to entertain proposals for any special preventive establishment that may be necessary to the success of the experiment.

7. Even should the central distillery system eventually prove to be feasible, it will still be necessary to introduce closer control and supervision over the retail shops. The proposals summarized by Mr. Buckingham indicate some of the lines on which reform may proceed, and the Government of India are glad to find that you have been able to accept so many of his valuable suggestions. I am now to refer in detail to these suggestions, following the order in which they are put forward in Mr. Buckingham's first memorandum.

8. "(1) It should be a *sine quâ non* that unless the license holder can show to the satisfaction of the Civil Medical Officer or to any other officers appointed for that purpose, that he can secure throughout the year a good supply of pure water, his license should be withheld."

You propose to ensure the supply of good water by granting licenses for three years instead of for one year, on condition that the licensee provides the outstill with a good well. The Government of India have no objection to this proposal: they are in fact prepared to go further, and they authorize you to provide a well at Government expense in any case in which you think it necessary to do so.

9. "(2) That grog on no account be sold in or near a *hât* where a large number of coolies are collected."

You point out that the existing rule is consonant with this suggestion, but that difficulties are met with in carrying it out. You observe that the provision in this rule for consulting local opinion as regards the sites for liquor shops is a most salutary one, and that it will be carefully observed in future. It would seem therefore that the rule has not been strictly enforced in the past, though the Provincial Excise Reports give a contrary impression. I am to request that much more detailed attention may be given to the administration of this rule in the future. It is not sufficient that the district report should contain a more general statement, possibly as a matter of form, that local opinion has been consulted. The district officers should be required to state precisely what measures were taken in respect of the location of each individual shop, whether new or old: and if in any case a shop should be established, or an old one retained on a site to which strong objection has been raised, the reason for overruling the latter should be placed clearly on record.

10. "(3) That unless accurate accounts are kept by the abkars, showing the quantity of liquor manufactured and sold, the lessee should have his license cancelled."

The Government of India hope that the proposals for strengthening the excise establishment, suggested below, will ensure the keeping of correct accounts and the sale of liquor of better quality.

11. "(4) That drunkenness should not be allowed within or near the abkar's shop, and that on being twice convicted of permitting drunkenness and disorderly conduct in or near his shop, his license should be cancelled."

You have gone beyond this suggestion, and propose not only to make a license liable to confiscation, but also to forfeit the licensee's earnest-money, in cases where drunkenness amounting to a public nuisance occurs in the vicinity of his shop. The Government of India agree in your view that the vendor's responsibility for the sobriety of his customers should be enforced in the manner proposed.

12. "(5) That not more than one bottle of a certain proof should be sold to any one coolie at a time."

In his later memorandum of 27th March 1903, Mr. Buckingham recommended a limit of three bottles, in place of the present maximum of six bottles, and you observe that a reduction even to this extent is generally opposed by the planting community. You therefore propose to defer any action in this direction, pending further enquiry.

13. The main objection brought against the proposal appears to be that a reduction in the number of bottles which may be sold retail will result in a larger number of coolies being sent to the shops to bring supplies for their fellows, and that the labour in the gardens will thus be interfered with. The Government of India do not consider that this is a weighty objection. It is presumably in the power of the managers to control the visits of their coolies to the liquor shops; and, in any case, it is unreasonable for the planters, while asking for the assistance of Government in maintaining sobriety among their employés, to resist a proposal to reduce one of the main incentives to drunkenness merely because it conflicts with their own convenience. The Government of India are therefore of opinion that the maximum limit for retail sale should be reduced to three bottles without further delay, and I am to request that this reform may be introduced at once.

14. "(6) That the liquor sold should be of a certain fixed proof."

The Government of India regret that it is impossible to carry out this suggestion under the outstill system. They hope that the strengthening of the inspecting staff will result in better liquor being manufactured and better methods of distillation being employed; but it is not practicable to introduce such minute supervision as would be necessary if the strength of all the liquor sold were to be tested. Where, however, the central distillery system is introduced, the proposal is practicable. You should, in the area selected, determine the strengths at which liquor should be issued, and the rules to be made under the Act should provide that issues at these strengths and at no others, shall be permitted. In determining the strengths to be selected, the Government of India desire that the local planters may be consulted.

15. "(7) That on any deleterious matter being found with the grog on analysis, the vendor should at once forfeit his license."

You point out that there is a conflict of authority as to the deleterious nature of the ingredients of country spirit, and you observe that "if authorities agree as to the maximum proportion of fusel oil, such as occurs in Indian spirit, which is consistent with the wholesomeness of the liquor containing it, there would appear to be no insuperable difficulties in the way of enforcing its observance in Assam." The Government of India agree in this view, and they propose to seek further expert advice on the question of the proportion of fusel oil which is deleterious and the possibility of measuring it. Meanwhile I am to enclose a copy of a paper * written by Mr. H. H. Mann, Scientific Officer to the Indian Tea Association, in which he contends that the problem is capable of solution and has already been solved in Europe.

16. "(8) That a certain fixed distance from gardens should be laid down for the site of grog shops."

This suggestion is partly covered by the existing rule referred to in paragraph 9 above; and, in view of the difference of opinion on this point among the planters themselves, the Government of India agree with you that a hard-and-fast rule is unsuitable and that local opinion is the safest guide.

17. "(9) That coolies should get permit tickets from managers before they could get grog."

Mr. Buckingham does not himself see how this suggestion can be worked, and it therefore seems unnecessary to pursue it. The Government of India consider that even if it were practicable, it would be open to serious objection.

18. "(10) That police should always be in attendance on *hât* days to prevent drunkenness or misconduct."

Some of the officers consulted have pointed out that this suggestion is not feasible in rural areas. The object of preventing drunkenness on market days will probably be attained more effectively by closer supervision over the shops, a point which is dealt with below. There seems no reason, however, why the suggestion should not be carried out at the larger *hâts*, and I am to request that you will consider whether this should not be done.

19. "(11) That the supervision over grog shops should be far stricter than it is at present."

Mr. Buckingham here strikes the keynote to all reform in the immediate future, and the Government of India feel that too great stress cannot be laid upon it. A step has been made in the direction of closer supervision by the creation of three Excise Inspectorships, which were sanctioned in the Secretary of State's Despatch No. 93 (Revenue), dated 3rd July 1903; but the Government of India doubt whether this measure went far enough,

* Not printed.

Excluding the hill tracts, each of these officers has on an average 70 shops to inspect and supervise, and these are spread over an area of 31,789 square miles. It is evident therefore that their visits to each shop must be few and far between. The Government of India are inclined to think that the staff of Inspectors should be raised to one officer for each district, or in any any case, to not less than six for the whole province; and they will be glad to receive proposals on these lines, and to recommend them to the Secretary of State. I am to request you to consider this point and to submit detailed proposals at an early date.

20. "(12) That medical officers of tea estates should be invested with special powers to inspect grog shops, and to suspend the licenses of abkars for one month, with the approval of the Deputy Commissioner."

You have accepted this proposal to the extent that managers and medical officers of tea gardens should be asked to co-operate with Government in bringing to notice breaches of the excise law. The Government of India agree with you that it is not necessary to go further than this, or formally to authorize them to inspect liquor shops.

21. "(13) That more use be made of District Committees of the Tea Association to enquire locally into breaches of the Excise Act or non-fulfilment of stipulations laid down in licenses."

You will no doubt be ready to accept this suggestion in the same spirit, and to welcome the co-operation of these bodies.

22. "(14) That grog shops be closed earlier on Sundays (say) 4 P.M., and that grog shopkeepers be prohibited from giving *nautches* and *tamashas* at or near their shops."

The Government of India are glad to note that you have been able to accept the proposal as regards *nautches* and *tamashas*, and that you are prepared to close shops frequented by tea-garden coolies at 4 P.M. in the co'd weather and at 6 P.M. in the hot weather months.

23. "(15) A few propose the total abolition of grog shops."

This extreme proposal is apparently not supported by Mr. Buckingham, and it is obviously impracticable, even if desirable, in a country like Assam which abounds in facilities for illicit distillation.

24. In his later memorandum, dated the 27th March 1903, Mr. Buckingham puts forward the following subsidiary suggestions:

(*a*) *that selling drink to drunken persons should be penalized;*

(*b*) *that a copy of the abkar's license should be hung up at each shop;*

(*c*) *that the sale of liquor to habitual drunkards should be prohibited; and*

(*d*) *that the canteen system should be tried at a few gardens.*

You have accepted the first two of these suggestions; and, as noticed in paragraph 11 above, you propose to enforce stringent penalties for permitting drunkenness in the neighbourhood of the shops.

25. With regard to the sale of liquor to habitual drunkards, you point out that there is no law in force in India under which a man could be declared to be a habitual drunkard, and you express the opinion that such a law would not be workable. The question is a difficult one which the Government of India prefer to reserve for further consideration.

26. You observe that the canteen system suggested by Mr. Buckingham deserves every encouragement, and the Government of India agree with you that permits should be given to planters at low fees for the sale to coolies of imported rum or of rum manufactured in India after European methods. It is understood that the rum would be of good quality and would be sold at a fixed price. You refer in this connection to Mr. Buckingham's rejection of the plan, which has been advocated by some authorities, but which has not met with any general success, that planters should be offered licenses for liquor shops with a view to giving them control over their management. I am to take this opportunity of observing that the Government of India have every sympathy with the sentiment which deters the planters from undertaking the management of liquor shops, and they concur in your conclusion that they should not be pressed to take licenses.

27. Seeing that it will rarely be possible to make over the management of a shop to a member of the planting community, you anticipate that some difficulty may be experienced in enforcing the stricter control over licensees which is now contemplated; and, in order to meet the contingency of a boycott by liquor vendors, you propose that the Government should be prepared to undertake the management of a few shops in order to show that it is not altogether dependent on private enterprise. The Government of India would be loth to see a Government official producing admittedly inferior liquor at an outstill, and selling it to the public, and they fear that such an arrangement would expose the administration to adverse criticism. At the same time, they realise that such an extreme step may be necessary in certain circumstances, and they authorize you to resort to it if clear necessity arises. They trust, however, that you will exercise great caution in the matter and adopt the measure only as a last resort.

28. From the above examination of Mr. Buckingham's suggestions it will appear that a large majority of them have been accepted by you and are sanctioned by the Government of India, and that a small proportion have been rejected either because there was insufficient ground for adopting them or because the planters themselves were not in accord.

Moreover in some particulars you are prepared to go beyond the suggestions which have been submitted to you, and either to enforce orders or to make experiments which are all systematically directed to the same end. The Government of India will watch the result of these experiments with sympathy, and they feel confident that in carrying them out you can rely on the loyal co-operation of the planting community.

No. 97, dated Calcutta, the 31st March 1904.

From—The Government of India,

To—The Secretary of State for India.

With reference to the correspondence ending with our Despatch No. 345, dated 4th December 1902, we have now the honour to submit a report by the Chief Commissioner of Assam on the complaints preferred against the excise administration of that Province by Mr. J. Buckingham, C.I.E., Chairman of the Assam Branch of the Indian Tea Association, together with a copy of the orders which we have passed on the subject.

2. It will be seen that we are pressing the Chief Commissioner to introduce experimentally the central distillery into Assam, and no effort will be spared to make the experiment a success. At the same time we may observe that the planting community does not advocate any radical change of system, and that the complaints made by Mr. Buckingham are directed rather against matters of detail in the administration of the existing outstill system. The Chief Commissioner has been able to meet the majority of these complaints and to adopt most of the remedies proposed by Mr. Buckingham. We have pressed upon him others in excess of the recommendations which he himself had made. We trust that the measures thus decided upon will materially reduce the evil of drunkenness in Assam.

3 In our letter to the Chief Commissioner we have set forth in full the various reforms which will now be adopted, and it is unnecessary to repeat them in detail. Our attitude towards the problem of drunkenness in Assam may be briefly described as follows. It is admitted that a considerable demand for strong drink exists, and that it is better to meet that demand with a legitimate and regulated supply than to drive the persons who require liquor to illicit methods of obtaining it. We are of opinion that the present outstill system is a bad one and that it does admit of the prevalence of drunkenness to an undesirable extent. At the same time we recognize that in an unsettled Province like Assam where communications are defective, it would be difficult if not impossible to abolish it altogether without provoking greater evil in the encouragement that would be given to illicit distillation. Pending the possible introduction of a better system, to which we are trying to feel our way, the only course immediately open to us is to counteract as far as possible the defects of the existing procedure.

4. We have impressed upon the Chief Commissioner that the main path to reform lies in more systematic inspection and closer control over the liquor shops, and to this end we have invited him to formulate proposals for increasing the staff of Excise Inspectors. We trust that this measure, which appears to us to be eminently necessary, will meet with your approval. We shall put forward detailed proposals when we have ascertained the views of the Chief Commissioner.

No. 65 (Revenue), dated the 6th May 1904

From—The Secretary of State for India (ST. JOHN BRODRICK),

To—The Government of India.

Excise Administration of Assam.

I have considered in Council the letter of Your Excellency's Government No. 97 (Separate Revenue), dated 31st March 1904, submitting a report by the Chief Commissioner of Assam on the complaints preferred against the Excise Administration of that Province by Mr. J. Buckingham, C.I.E., Chairman of the Assam Branch of the Indian Tea Association, together with a copy of the orders which you have passed on the subject.

2. I observe with satisfaction that the Chief Commissioner has been able to meet the majority of the complaints which the planting community have brought against the administration of the outstill system in Assam, and to accept most of the remedies proposed by Mr. Buckingham. Your Government have pressed upon the Chief Commissioner others in excess of the recommendations which he himself made. You do not at present see your way to abolish the outstill system altogether in Assam, but you propose to give the central distillery system a full and fair trial, which you consider should extend over one or more selected districts. Meanwhile you anticipate that the measures which you have approved will diminish the abuses of outstills and will materially reduce the evil of drunkenness in Assam. You consider that the main path to reform lies in more systematic inspection and closer control over the liquor shops, and to this end you have invited the Chief Commissioner to formulate proposals for increasing the staff of Excise Inspectors.

3. I desire to express my concurrence in the efforts which are being made to deal with a serious and admitted evil, and I hope to learn in the course of time that the reforms which, on the initiative and with the co-operation of the planting community you are endeavouring to establish, have resulted in a material diminution of the abuses to which just objection has been taken.

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